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THE
REVISED ORDINANCES OF 1925

OF THE
CITY OF (BOSTON)
BEING THE
FOURTEENTH REVISION

WITH TABLES SHOWING THE DISPOSITION OF PRIOR ORDINANCES

AND

AN INDEX

PREPARED BY WILFRED J. DOYLE, ASSISTANT CITY CLERK, AND
PUBLISHED BY ORDER OF THE CITY COUNCIL



BOSTON
PRINTING DEPARTMENT
1925

205

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Director's Office

Boston City Messenger

Nov 2, 1906

RECEIVED
NOV 2 1906
DIRECTOR'S OFFICE

(503.20)

CITY OF BOSTON
IN CITY COUNCIL

Ordered, That the City Clerk be requested to prepare and submit in print to the City Council a revision of the ordinances, the expense to be charged to the Reserve Fund.

In City Council July 27, 1925. Passed.

Approved by the Mayor July 28, 1925.

Attest:

W. J. DOYLE,
Assistant City Clerk.

CITY OF BOSTON
OFFICE OF THE CITY CLERK

December 28, 1925.

This revision of the ordinances has been prepared by the City Clerk, under the supervision of the Committee on Ordinances, consisting of the following-named members of the City Council of 1925, viz.:

WILLIAM C. S. HEALEY, *Chairman*

DAVID J. BRICKLEY
JOHN A. DONOGHUE
GEORGE F. GILBODY
DANIEL W. LANE

JAMES T. MORIARTY
JAMES T. PURCELL
WILLIAM J. WALSH
JAMES A. WATSON

CITY OF BOSTON
OFFICE OF THE CITY CLERK

CITY HALL

December 30, 1925.

I hereby certify that this volume contains a true copy of the Revised Ordinances of 1925, passed by the City Council on December 28, 1925, and approved by the Mayor on December 29, 1925.

Attest:

City Clerk.

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REVISED ORDINANCES
OF 1925.



20

CITY OF BOSTON

In the year one thousand nine hundred and twenty-five

AN ORDINANCE

FOR

CONSOLIDATING AND ARRANGING

THE ORDINANCES

OF THE

CITY OF BOSTON

Be it ordained by the City Council of Boston, as follows

CHAPTER 1.

GENERAL PROVISIONS.

SECTION 1. This ordinance shall be known as the "Revised Ordinances of 1925," and it shall take effect upon its passage. So far as its provisions are the same in effect as those of previously existing ordinances and regulations, it shall be construed as a continuation of such ordinances and regulations; it shall not affect any act done, any right accrued, any penalty incurred, any suit, prosecution, or proceeding pending, or the tenure of office of any person holding office, at the time when it takes effect; subject to said limitations, all ordinances and regulations of the city heretofore in force are hereby repealed.

SECT. 2. All by-laws and regulations of the city of Boston shall be denominated ordinances, and the enacting style shall be, "Be it ordained by the city council of Boston, as follows."

SECT. 3. Every ordinance shall, unless otherwise provided, take effect upon its passage. Every ordinance, unless relating to the internal affairs of the city government or for consolidating and arranging the ordinances, shall, except when otherwise provided, be published once a week for three weeks successively in two daily newspapers published in this city. This ordinance shall be published by the action of the city council in passing the same.

SECT. 4. The following rules of construction shall be observed for this and every other ordinance, unless inconsistent with the manifest intent of the city council or the context of the ordinance:

First. The repeal of an ordinance shall not revive any ordinance in force before, or at the time when, the ordinance repealed took effect.

Second. The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect, or any suit, prosecution, or proceeding pending at the time of the repeal, for a violation of such ordinance.

Third. Words importing the singular shall include the plural, words importing the plural shall include the singular, and words importing the masculine gender shall include women and boards.

Fourth. The word "street" shall include all public ways, alleys, lanes, courts, and sidewalks, and those parts of public squares and places which form travelled parts of highways.

"Public grounds."

Fifth. The words "public grounds" shall include the common and public garden, the public lands under the charge of the park department, and those parts of public squares and places which do not form travelled parts of highways.

"Owner."

Sixth. The word "owner," applied to a building or land, shall include any part owner, joint owner, tenant in common, or joint tenant, of the whole or of a part of such building or land.

"Tenant."

Seventh. The word "tenant" or "occupant," applied to a building or land, shall include any person who occupies the whole or a part of such building or land, either alone or with others.

"Person."

Eighth. The word "person" shall include firms and corporations.

"Officer."

Ninth. The word "officer" shall include officers and boards in charge of departments and the members of such boards; the word "subordinate" shall include only assistants, deputies, clerks, and other employees, appointed by an officer or board in charge of a department, and paid a yearly salary.

"Faneuil-hall market."

Tenth. The words "Faneuil-hall market" shall include the lower floor, porches, and cellar of the buildings called respectively "Faneuil Hall" and "Quincy Market."

"Faneuil-hall market limits."

Eleventh. The words "Faneuil-hall market limits" shall include Faneuil-hall market as above defined, and the territory included within the following boundary, viz.: Beginning in the northerly line of North Market street extended, at a point thirty-five feet distant westerly from the sidewalk on the easterly side of Commercial street; thence parallel with and thirty-five feet distant westerly from said sidewalk, to a line thirty-five feet distant northerly from the sidewalk on the southerly side of South Market street extended; thence by a line parallel with and thirty-five feet distant northerly from said sidewalk to Merchants row; thence diagonally across Merchants row to the nearest point in a line twenty feet distant northerly from the sidewalk on the southerly side of Faneuil Hall square; thence by a line parallel with and twenty feet outside of the sidewalk of said square and North Market street to Merchants row; thence diagonally across said Merchants row to the northeast corner of said Merchants row and North Market street; thence by the northerly side of said North Market street to the point of beginning.

"Market limits."

Twelfth. The words "Market limits," without any words of limitation preceding them, shall include the territory bounded

as follows: Beginning at the southerly corner of Atlantic Extension of
avenue and State street; thence running west by the southerly St. 1896, c. 376.
line of State street to India street; thence north to the centre
line of State street; thence west by the centre line of State
street to the line of the curbstone on the easterly side of Com-
mercial street produced to the centre line of State street;
thence north by the line of the curbstone on the easterly side
of Commercial street produced to the centre of State street
to a point in the curbstone on the easterly side of Commercial
street opposite the corner of said street and State street;
thence west across Commercial street to the westerly corner
of Commercial street and State street; thence north by the
westerly line of Commercial street to Chatham street; thence
west by the southerly line of Chatham street and by said line
produced to the westerly line of Merchants row; thence north
by the westerly line, west by the southerly line, and again north
by the westerly line of Merchants row to Faneuil Hall square;
thence west by the southerly line and north by the westerly
line of Faneuil Hall square to Dock square; thence west by the
southerly line of Dock square to Exchange street; thence north
by the easterly line of Exchange street produced across Dock
square; thence north by the westerly line of Dock square
and across Elm street to the corner of Elm and Union streets;
thence north by the westerly line of Union street to the south-
erly corner of Friend and Union streets; thence east across
Union street to the corner of Union and North streets; thence
east by the northerly line and northeast by the northwesterly
line of North street to Blackstone street; thence northwest by
the southwesterly line of Blackstone street to Haymarket
square; thence north across Blackstone street to the corner of
Cross and Blackstone streets; thence southeast by the north-
easterly line of Blackstone street to the corner of Blackstone
and North streets; thence northeast by the northwesterly
line of North street to the northeasterly corner of North and
Richmond streets; thence crossing North street, southeast by
the northeasterly line and east by the northerly line of Rich-
mond street to the northerly corner of said street and Atlantic
avenue; thence east by the northerly line of Richmond street
produced across Atlantic avenue to the easterly side thereof;
thence south by the easterly line of Atlantic avenue to the
northerly corner of said avenue and India Wharf; thence west
across Atlantic avenue to the northerly corner of said avenue

and India street; and thence north by the westerly line of Atlantic avenue to the point of beginning. All said Faneuilhall market limits are shown in red, and said Market limits are shown in blue, on a plan numbered L-2826 and marked: "Faneuil Hall Market Limits and Market Limits in the City of Boston, February 16, 1897, William Jackson, City Engineer," and filed in the office of the street commissioners.

Words giving joint authority.

Thirteenth. Words purporting to give a joint authority to three or more officers or other persons shall be construed as giving such authority to a majority of such officers or persons.

Construction of words of prohibition.

Fourteenth. Words prohibiting anything from being done, except in accordance with a license or permit or authority from a board or officer, shall be construed as giving such board or officer power to license or permit or authorize such thing to be done.

City seal.



SECT. 5. The seal of the city shall be circular in form, shall bear a view of the city, the motto SICUT PATRIBUS, SIT DEUS NOBIS, and the inscription, BOSTONIA CONDITA AD. 1630. CIVITATIS REGIMINE DONATA AD. 1822, as herewith shown.

Control of rooms in city hall.

SECT. 6. In the city hall the rooms used by the mayor shall be under his control; the rooms used by the city clerk shall be under his control; and the rooms used by the city council shall, except as ordered by the city council, be under the control of the president of the city council. All rooms in the city hall, the city hall annex and other public buildings, not assigned by this ordinance, may be assigned by the superintendent of public buildings with the approval of the mayor.

Departments created.

SECT. 7. The departments named in the following chapters are hereby created, and placed under the charge of the officers or boards designated therefor, under the general supervision and control of the mayor.

CHAPTER 2.

THE MAYOR.

Mayor to appoint officers.

SECTION 1. The mayor shall appoint heads of departments and members of municipal boards and fill vacancies therein

in the manner provided by statute. He shall, in the municipal year in which the term of the incumbent expires, appoint the following officers, to serve for the terms hereinafter specified:

For the term of one year, beginning with the first day of May in the year of appointment, three members of the transit commission. For one year.

For the term of three years, beginning with the first Monday in January, one street commissioner. For three years.

For the term of three years beginning with the first day of April in the year of appointment, one assessor.

For the term of three years, beginning with the first day of May in the year of appointment: one member of the board of examiners; three members of the conservation bureau; four overseers of the public welfare; one park commissioner; and two sinking-funds commissioners.

For the term of three years, beginning with the first day of June in the year of appointment, one schoolhouse commissioner.

For the term of four years, beginning with the first day of April in the year of appointment, one election commissioner. For four years.*

For the term of four years, beginning with the first day of May in the year of appointment: The building commissioner; the budget commissioner; the city auditor; the city collector; the fire commissioner; the health commissioner; the institutions commissioner; the corporation counsel; the superintendent of markets; the penal institutions commissioner; the superintendent of printing; the superintendent of public buildings; the commissioner of public works; the city registrar; the soldiers' relief commissioner; the superintendent of supplies; and the city treasurer.

For the term of four years beginning with the first day of September in the year of appointment, one member of the Boston retirement board.

For the term of five years, beginning with the first day of May in the year of appointment: One art commissioner; one member of the board of appeal; one or more Boston Sanatorium trustees; one hospital trustee; one library trustee; one statistics trustee; one member of the city planning board; and two members of the board of zoning adjustment. Appointments shall be so made that there shall be two women on the board of trustees of the Boston Sanatorium, and one woman in the city planning board. For five years.

* All heads of departments are appointed for terms of four years under Statutes 1909, chapter 486, sections 9, 10. Members of boards are appointed under said statute but their terms are fixed either by the special statute creating the board, or by ordinance.

St. 1909, c. 382.
St. 1914, c. 452.

The mayor shall appoint, subject to civil service rules, the sealer of weights and measures, and twelve deputy sealers, who shall hold office during good behavior.

Appointment
of weighers,
measurers, etc.

SECT. 2. The mayor shall annually appoint, subject to confirmation by the city council, officers to act as weighers, measurers, surveyors, or inspectors of certain articles, each for a term of one year beginning with the first day of May in the year of appointment, who shall exercise the powers and perform the duties provided by the statutes and ordinances relating to the weighing, measuring, surveying or inspecting of such articles, shall be sworn to a faithful performance of their duties, shall be paid the fees established by law, and shall receive no compensation from the city, viz.:

G. I., c. 94,
sec. 236.

One superintendent for each of the public scales established by the city, to act also as a weigher of hay and other articles;

One or more employees of any person, firm or corporation to be weighers of goods, who shall have no other authority than to weigh, for the benefit of their employers, all goods or materials (except beef, boilers and heavy machinery, and coal) sold or purchased by such employers in the ordinary course of business;

G. I., c. 94,
sec. 238.

One or more weighers of coal, one of whom shall not be engaged in the business of selling coal;

G. I., c. 94,
sec. 179.

One or more weighers of boilers and heavy machinery, who shall not be engaged in the manufacture or sale thereof;

G. I., c. 94,
sec. 140.

One or more weighers of beef, who shall not be dealers in cattle;

St. 1818, c. 308.
G. I., c. 102,
secs. 6-14, inc.

One or more weighers of vessels and ballast, who shall not at the time of appointment or during their term of office own, or act as agent of, or have any interest in, a vessel engaged in the transportation of stone, gravel, sand or ballast, or be engaged or interested in the sale of stone, gravel, sand or ballast;

G. I., c. 94,
sec. 296.

One or more measurers of wood and bark;

G. I., c. 94,
sec. 219.

One or more measurers of grain;

G. I., c. 95,
sec. 1.

One or more measurers of leather who have been certified by the commissioner of standards as fit persons for such appointment;

G. I., c. 94,
sec. 269.

One or more surveyors of marble, soapstone and freestone;

G. I., c. 148,
sec. 20.

One or more inspectors of petroleum and its products, who shall not be interested in the sale of crude petroleum or in the sale or manufacture of petroleum or earth rock oil or any of their products.

SECT. 3. The mayor shall, upon receiving any report of a department required by the city council to be made to him, transmit the same to the city council with such suggestions as he shall deem proper.

Transmit department reports to city council.

SECT. 4. The mayor shall countersign all notes, bonds, or scrip of the city, and may execute in its behalf all instruments to be executed by the city; but this provision shall not be construed to prevent any officer from executing any instrument in the performance of his duties.

Execution of instruments by mayor.

SECT. 5. The mayor may, upon payment to the city collector of the amount due on the mortgage of an estate mortgaged to the city, discharge or release the mortgage, or assign the same without recourse to the city; and may, upon payment to the city collector of the amount due on an estate sold to the city for non-payment of taxes or assessments, release all the interest of the city in such estate; and may execute and deliver in behalf of the city any and all legal instruments necessary to carry out the powers aforesaid.

Discharge of mortgages; and releases by mayor.

SECT. 6. The mayor may execute and deliver to any person holding land the title to which is derived under a deed given by the city and creating an estate upon condition, a deed of release, acknowledging that up to the time when such deed of release is given such condition has been fully complied with, and releasing such land from the possibility of forfeiture to the city for any breach of condition happening prior to the date of the release.

Release of conditions.

SECT. 7. The mayor may, upon the execution of a new bond satisfactory to him, cancel, or release the sureties on, any bond given to the city for the performance of a contract or the duties of an office.

Cancellation of bonds.

SECT. 8. All drafts drawn by the city auditor upon the city treasurer and the form of all drafts, checks, and orders used by the city auditor, shall be subject to the approval of the mayor.

Approval of drafts.

SECT. 9. The mayor may order any or all public buildings or offices to be closed for any period not exceeding one day at a time whenever he deems it expedient, and may order flags to be displayed upon public buildings at any time.

Public buildings closed and flags displayed.

SECT. 10. The mayor may, in the discharge of the duties of his office, incur such expenses for subordinates and other employees, for expert services not including legal services, for the entertainment of guests, and for other purposes, as he shall deem necessary or proper.

Office expenses of mayor.

CHAPTER 3.

OFFICERS AND BOARDS.

Acceptance of
office.

SECTION 1. Every officer appointed by the mayor or elected by the city council shall continue to hold office until his successor is appointed or elected and duly qualified, and every such officer shall subscribe in a book, to be kept by the city clerk for that purpose, a statement that he accepts his office subject to the statutes and ordinances.

Bonds of
officers and
subordinates.

SECT. 2. The persons holding the positions hereinafter named shall severally deliver to the city auditor (except that the city auditor shall deliver his own bond to the city treasurer) a bond to the city, satisfactory to the mayor, with an incorporated surety company as surety, unless the mayor shall be satisfied that a satisfactory surety of this character cannot be obtained at a reasonable premium, in which case he may accept individuals as sureties; and any person hereafter appointed or elected to any of said positions, except the city clerk, shall deliver such a bond before he enters upon the duties of his office. Any person required to give bond as aforesaid shall give a new bond satisfactory to the mayor whenever required by him. The amount paid as premium for the surety upon any bond aforesaid, not exceeding one-half of one per cent of the penal sum named therein, shall be allowed and paid as an expense of the department of which the principal on the bond is an officer or employee.

Bonds of
officers.

SECT. 3. The following officers and employees shall give such bonds in the following sums, viz.:

The city auditor, seventy-five thousand dollars.

The city clerk, two thousand dollars.

The city collector, seventy-five thousand dollars.

The city hospital superintendent, three thousand dollars.

The city registrar, two thousand dollars.

The city treasurer, one hundred and fifty thousand dollars.

The penal institutions department clerk of accounts, two thousand dollars.

✓ The park department secretary, three thousand dollars.

The public library librarian, two thousand dollars.

The sealer of weights and measures, two thousand dollars.

The deputy commissioner in charge of the ferry service, and the clerk and assistant clerk of said deputy commissioner, each five thousand dollars; all other persons authorized to sell ferry tickets, or to receive money or tickets at the ferries, or to receive money for removal of refuse, each one thousand dollars; and the supervisor of permits of the public works department, one thousand dollars.

The subordinate designated by the commissioner of public works to be the head of the water income division, and the deposit clerk of the water service, each five thousand dollars.

SECT. 4. The condition of each of such bonds shall be that the person therein named as principal shall, while he continues as such officer or employee, by reappointment, re-election, or otherwise, safely hold all the money or other property belonging to the city which may come into his possession and promptly deliver the same to the proper officer; honestly disburse, and account for, any money belonging to the city which may be intrusted to him for disbursement; and faithfully discharge all his duties and trusts relating to the city.

SECT. 5. The following-named officers shall, while in the service of the city, receive the following salaries yearly and proportionally for any portion of the year, which shall, unless otherwise provided by ordinance, be in full for all services which such officers are authorized or required by statute or ordinance to perform, and shall be subject to the deduction of any and all sums due to the city from such officers. They shall receive as such salaries:

The mayor, twenty thousand dollars.

The members of the city council, fifteen hundred dollars each.

The assessors, the chairman six thousand dollars, and the two other assessors each forty-five hundred dollars. The first assistant assessors, each eight hundred and fifty dollars for street work and preparation therefor, and eight hundred and fifty dollars for services on dooming board and work on abatements and investigations.

The budget commissioner, six thousand dollars.

The building commissioner, six thousand dollars.

The city auditor — auditor, seven thousand dollars; secretary of sinking funds commissioners, seven hundred dollars; county auditor, eight hundred and eighty dollars. Total, eighty-five hundred and eighty dollars.

Condition of
bonds.

Salaries to be
in full for ser-
vices; dues to
the city de-
ducted. See
c. 3, sec. 18.

The city clerk, seven thousand dollars, and the assistant city clerk, fifty-five hundred dollars.

The city collector, seventy-five hundred dollars.

The city registrar, five thousand dollars.

The city treasurer — treasurer, six thousand dollars; treasurer of sinking funds commissioners, seven hundred dollars; county treasurer, eight hundred and eighty dollars. Total, seven thousand five hundred and eighty dollars.

The corporation counsel, nine thousand dollars.

The election commissioners, the chairman six thousand dollars, the three other commissioners each five thousand dollars.

The fire commissioner, seventy-five hundred dollars.

The health commissioner, seventy-five hundred dollars.

The institutions commissioner, seventy-five hundred dollars.

The park commissioners, the chairman seven thousand dollars, and the deputy commissioner not more than forty-two hundred dollars.

The penal institutions commissioner, five thousand dollars.

The commissioner of public works, nine thousand dollars; the engineers in charge of divisions, each five thousand dollars.

The schoolhouse commissioners, the chairman five thousand dollars, and the two other commissioners each four thousand dollars.

The sealer of weights and measures, forty-five hundred dollars, the chief deputy sealer, such salary, not exceeding three thousand dollars, and the eleven other deputy sealers such salary not exceeding twenty-eight hundred dollars each, as may be fixed by the sealer of weights and measures with the approval of the mayor.

The soldiers' relief commissioner, six thousand dollars.

The statistics trustees, the chairman thirty-five hundred dollars.

The street commissioners, the chairman six thousand dollars, and the two other commissioners each five thousand dollars.

The superintendent of markets, four thousand dollars.

The superintendent of printing, six thousand dollars.

The superintendent of public buildings, forty-five hundred dollars.

The superintendent of supplies, six thousand dollars.

The transit commissioners, the chairman seventy-five hundred dollars, and the two other commissioners each five thousand dollars.

The officers connected with the city council: the clerk of committees, five thousand dollars; the assistant clerk of committees, thirty-five hundred dollars; the second assistant clerk of committees, twenty-five hundred dollars; the city messenger, five thousand dollars; the assistant city messenger, three thousand dollars.

SECT. 6. The officers of the county of Suffolk shall be paid the salaries and allowances provided by law. County officers.

The salaries of the officers connected with the county jail shall be such as may be established from time to time by the city council with the approval of the mayor.

SECT. 7. Every officer temporarily holding, or performing the duties of, more than one office shall receive the salary for the highest paid of such offices. Temporary officers.

SECT. 8. Every officer in charge of a department receiving a salary from the city shall be entitled to a vacation of two weeks, without loss of pay, during each year of service, and the mayor may grant additional leave of absence, with or without loss of pay, to such officer. Vacations. Leave of absence.

SECT. 9. Every board shall, unless otherwise provided, organize on the first Monday in May annually by the choice of one of its members as chairman, and by the choice of a secretary, who shall be sworn to the faithful discharge of his duties. Boards to organize first Monday of May.

SECT. 10. Every officer in charge of a department shall have an office open for the transaction of public business from nine o'clock in the forenoon until five o'clock in the afternoon on every day, except Saturdays, Sundays, legal holidays, and the anniversary of the battle of Bunker Hill; on Saturdays he shall close his office at twelve o'clock noon; the health commissioner shall, in addition to the hours above stated, have an office open for the issuing of permits for burial and permits for the removal of dead bodies, from ten o'clock in the forenoon until twelve o'clock noon on every day in the year; neither the city treasurer nor city collector shall be required to keep an office open to disburse or receive money after two o'clock p. m. Office hours of departments. Health commissioner. Treasurer and collector.

SECT. 11. Every officer in charge of a department shall keep records of the acts and doings of the department, in books kept specially for the purpose, including a book in which he shall record all contracts, and all changes and alterations made in contracts or specifications, for work and materials furnished for his department, and shall keep files of its papers, Records of acts and doings of departments.

and a book showing the property belonging to or used by the department, such book to be corrected at the beginning of each financial year. The records of the proceedings of every board shall be made by the secretary upon the day of the meeting, shall state the names of the members present, and shall be read and submitted for approval at the next meeting.

Employment,
compensation,
and tenure of
subordinates.

SECT. 12. Every officer in charge of a department shall employ, fix the compensation of, and may discharge for such cause as he shall deem sufficient and cause to be recorded in the records of the department, all subordinates in his department, but shall employ none but citizens, and, if male subordinates, legal voters of Boston, in any capacity. Before any increase shall be made in the compensation of any subordinate, or in the number of subordinates, a report thereof shall be sent to the mayor, and no such increase shall take effect until approved by the mayor, in a writing filed with the city auditor. Every such officer shall to the best of his ability cause all statutes, ordinances, regulations, and orders relating to the duties of his department to be observed and enforced, and shall prevent the assignment of wages by persons employed in his department.

Assignment of
wages.

To expend gifts
as directed.

SECT. 13. Every officer in charge of a department shall expend any contribution, payment, gift, devise, or bequest in accordance with the directions attached thereto.

May sell old
materials.

SECT. 14. Every officer in charge of a department may sell, or otherwise dispose of, any property or materials not required by such department and not exceeding one hundred dollars in value, and may, with the approval of the mayor in writing, sell or otherwise dispose of such materials or property not exceeding five hundred dollars in value.

Inspection and
certificate by
weigher.

SECT. 15. Every officer, except the commissioner of public works and the superintendent of public buildings, when contracting for, or accepting delivery of, fuel, or stone, gravel, sand, or ballast from a vessel, shall require that it be weighed and inspected by a duly authorized weigher or measurer, and that the bill therefor shall be accompanied by the certificate of such weigher or measurer.

Printing and
office supplies.
See c. 27,
sec. 1.

SECT. 16. Every officer in charge of a department requiring any printing, binding, stationery, or other office supplies, shall obtain the same from the superintendent of printing, by requisition, on blanks to be prepared by the superintendent.

SECT. 17. Every officer in charge of a department shall immediately make a report in writing to the law department whenever any transaction, act or negligence of the department in his charge occurs which results in, or may occasion the bringing of, a claim against the city. All claims against the city or any department thereof shall be transmitted to the city clerk for reference to the committee of the city council on claims, and notice shall be given to the corporation counsel, who, by himself or his assistants, shall make an investigation of the claim, and for this purpose shall be furnished, on request, with all necessary departmental books, papers or records, and may require any official or employee of a department who may have information concerning such claim to attend any hearing thereon. Upon completion of the investigation the corporation counsel or his assistants shall present a report to the committee on claims recommending a settlement for an amount named in said report, or disapproving such claim. The committee on claims shall have authority to settle any such claim, subject to the approval of the mayor, for the amount recommended by the law department or for a less amount, or to reject the proposed settlement. No such settlement shall be made for an amount exceeding five hundred dollars. Nothing herein contained shall affect the provisions of these ordinances respecting the settlement of claims upon which suits have been entered.

SECT. 18. Every officer or employee receiving a salary from the city, who receives for his services as such officer or employee any other salary, or any fees, charges, or commissions, shall pay such other salary, fees, charges, and commissions into the city treasury, as the property of the city, provided, however, that this provision shall not apply to the fees received by the city clerk under chapter 131 of the General Laws or acts in amendment or addition thereto; and any officer or employee through whom, or for whose supplies, sales, or services as such officer or employee, or for any notes, securities, leases, or other agreements in his custody, payments are due or to be made to the city, or to him for the city, shall keep suitable books and accounts of all such dues and payments, and shall, unless otherwise specially provided by law, on or before the fifth day of every month send to the auditor a statement of the total amount of such payments made to him, or which have become due since the date of the last statements

Settlement of
claims.

Fees, etc., re-
ceived for serv-
ices.

Books and
accounts.

Moneys collected and bills of dues.

or which will become due within a month from said day, and deliver to the city collector all such money paid to him, and bills of all such dues, and, unless authorized to the contrary by the city collector, shall furnish therewith, in suitable books with proper details, alphabetical lists by wards of such moneys and bills, with the columns of figures added and carried forward continuously to the end of the lists.

Bills and demands sent to auditor.

SECT. 19. Every officer in charge of a department shall send to the city auditor, at such time, in such form and with such approval as the auditor may require, all bills and demands against the city which have been received by such department, accompanied by such vouchers, schedules, requisitions, and evidence of the authority under which the expenditure was incurred as the auditor may require. When in the opinion of such officer good cause exists therefor, he may request at other times the payment of any amounts due from the city.

Weekly pay-rolls.

SECT. 20. Every officer in charge of a department shall make up a weekly pay-roll of all employees in his department to and including Thursday of each week, and shall send the same to the city auditor within forty-eight hours after the close of the period covered by such pay-roll with a requisition for the payment thereof; but the name of any person whose payment weekly is not required by law shall not be placed on such pay-roll if such person desires to have his name placed on the monthly pay-roll; every such officer shall make up a monthly pay-roll for the payment of all officers and subordinates not paid on the weekly pay-rolls, and send the same on the fifteenth day of each month to the city auditor with a requisition for the payment thereof. If any employee has died, the officer at the head of the department shall certify the name of the person who is to receive the amount due the deceased.

Monthly pay-rolls.

Conditions in licenses or permits.

SECT. 21. Every officer in charge of a department issuing a license or permit shall insert therein a condition that the person accepting the same shall conform to the statutes and ordinances and the specifications in the license or permit; that the license or permit may be revoked at any time by the authority issuing it; that the violation of any of its specifications shall work an immediate revocation of the license or permit; and that such person shall indemnify and save harmless the city from any damage it may sustain, or be required to pay, by reason of the doing of the work licensed or permitted, or by reason of any act or neglect of himself or of any of his employees relating to

such work, or by reason of any violation of any specification; provided that nothing herein contained shall be construed to prevent the insertion of any other specifications deemed advisable by the authority issuing such license or permit.

SECT. 22. Any officer in sole charge of a department may, with the approval of the mayor, by a writing deposited with the auditor, or in the case of the auditor with the city treasurer, designate a subordinate of his department, who shall, for such time, not exceeding four weeks from the date of such designation, as shall be specified in the writing, be authorized to perform the duties required of such officer, and for the acts of such subordinate such officer shall be responsible.

Subordinate
acting tempo-
rarily for
officer.

SECT. 23. Every officer in charge of a department shall annually, on or before the first day of November, send to the mayor an estimate in detail of the appropriations required for such department for the next financial year, and an estimate of the income of such department during said year.

Estimates of ap-
propriations
and income.

SECT. 24. Every officer in charge of a department shall within thirty days after the close of the financial year transmit to the mayor a report containing a statement of the acts and doings, and receipts and expenditures, of the department for such financial year, together with such other matters as may be required by law, or as the mayor or officer may deem to be of public interest.

Annual reports
of departments.

SECT. 25. No salaried officer or employee of the city, not elected by popular vote, shall be an officer of any political caucus or a member of any political committee or convention, nor shall any officer or employee of the city, not elected by popular vote, apply for, object to, or advocate before the legislature, any special act relating to the city of Boston, unless expressly authorized so to do by the mayor or the city council.

Membership in
political body,
and appear-
ance before
Legislature.

SECT. 26. Every officer or board in charge of a public institution shall, in case of serious illness of any inmate of such institution, notify or cause to be notified, promptly, the nearest relatives or friends of such inmate.

Notice of illness
of inmates of
public institu-
tions.

CHAPTER 4.

ART DEPARTMENT.

SECTION 1. The art department shall be under the charge of a board of five commissioners, who shall exercise the powers and perform the duties provided by statute.

St. 1898, c. 410.
Spec. St. 1919,
c. 87.

CHAPTER 5.

ASSESSING DEPARTMENT.

Spec. St. 1918,
c. 93.

SECTION 1. The assessing department shall be under the charge of a board of three assessors, who shall exercise the powers and perform the duties of assessors of taxes. They may elect one of the assessors as secretary, and pay him two hundred dollars per annum in addition to his salary as assessor.

Secretary.

Tax bills.

SECT. 2. The board shall annually on or before the first day of September make out and deliver to the city collector tax bills for all taxes assessed which shall have printed thereon the rate for each thousand dollars of property assessed, and the proportion for state, county, and city taxes respectively, and for public school expenditures. Before delivering such tax bills to the collector the board shall record them in books prepared for the purpose, add the amounts thereof, foot the same at the end of each book, and add the aggregates of all the books so as to show the total amount of taxes assessed, and shall deliver such books with such bills to the city collector, and shall, before the fifth day of every ensuing month, deliver like bills and books of all additional or supplementary assessments made during the preceding month.

Record books.

Statement to
auditor.

SECT. 3. The board shall render to the city auditor, at the time when it delivers any tax bills to the city collector, a statement of the amount of such bills, so far as the amounts thereof have not been included in any statement previously rendered to him; and such statement shall also include the amount of taxes abated, determined to be void, or remitted which have been certified by the assessors during the preceding month, giving also the year in which the taxes were laid.

Report of val-
uations.

SECT. 4. The board shall transmit to the mayor on or before the tenth day of January annually, and include in its annual report, a statement of the assessors' valuation of the taxable property in the city for each of the preceding three years, the abatements thereon allowed previous to the thirty-first day of December preceding, and the average of such valuations reduced by such abatements.

CHAPTER 6.

AUDITING DEPARTMENT.

St. 1909,
c. 486,
sec. 23-25.

SECTION 1. The auditing department shall be under the charge of the city auditor, who shall have the custody of all

notes, securities, bonds given for the faithful performance of a contract, contracts and other agreements to which the city is a party and for which no other provision is made, and of all bonds to the city other than the auditor's; shall keep a register of the dates, amounts, and sureties on all such bonds, and notify the mayor whenever any such bond expires, or whenever he is of the opinion that it is impaired by the insolvency or other disability of a surety; shall keep a complete set of books, wherein shall be entered the amount of each specific appropriation and each amount that has been expended on account of such appropriation; shall cause the accounts of the several departments to be regularly examined annually by competent experts at such times as the mayor shall approve; shall notify the mayor whenever the expenditures of a department seem to him to be in excess of a proper monthly ratio of its appropriation; shall, when any appropriation of a department has been wholly expended, immediately make a report of that fact to the department and to the mayor; shall have the custody of all bonds and certificates of indebtedness, and the coupons thereof, issued by the city, after they have been paid and delivered to him by the city treasurer; shall direct to the treasurer all necessary drafts, checks, or other orders for the payment of money, in such form as the mayor shall approve; shall keep a registry of, and sign with the city treasurer, countersigned by the mayor, all bonds and certificates of indebtedness of the city issued by the city treasurer; and shall, if elected, serve as secretary of the board of sinking-funds commissioners.

Notice of expiration or impairment of bonds.

Examination of accounts of departments. Notice when expenditures exceed monthly ratio, or appropriation.

Custodian of bonds issued by city.

Registry and signing.

Secretary of the sinking funds commissioners.

SECT. 2. The auditor shall, immediately on receiving any bond of the city from the treasurer, deliver to him a check or other order for the payment of the same; and shall on the days of receiving executions or coupons from the treasurer deliver to him a draft for the total amount of the executions, coupons, and interest paid by the treasurer to such days.

Payment of bonds, executions, and coupons.

SECT. 3. The auditor shall, within forty-eight hours after the close of the period covered by any pay-roll, and after examination thereof, if found correct, approve the same, and shall deliver to the treasurer a draft to pay the amount so approved; shall at any time, on receiving a proper certificate from the officer or board in charge of a department, deliver to the treasurer a check or other order to pay the amount due any person in that department leaving the service of the city.

Examination and approval of pay-rolls.

Payment of persons leaving service.

Examination
of bills and
demands.

SECT. 4. The auditor shall examine all bills or demands rendered against the city or county, shall see that they have been incurred and properly approved by some person duly authorized, in exact accordance with such authority, that the clerical computations are correct, and that there are on hand funds appropriated for such purpose sufficient for the payment of such demand or bill; shall, in case of any error or informality, make note of the fact, and return the bill or demand with his objections to the officer or board presenting the same; shall, if he approves the bill or demand, cause an abstract of the same to be entered in a book kept for that purpose; and shall, from time to time, sign on a book a draft for the city treasurer to pay all accounts entered therein.

Abstract of
bills approved.

Check or order
for payment.

SECT. 5. The auditor shall, when requested in writing by any officer in charge of a department, if he deem it proper so to do, audit accounts and issue drafts for the payment thereof whenever necessary.

Transfers to
printing appro-
priation.

SECT. 6. The auditor, at the close of each month, shall transfer the amount of all bills allowed by him for materials furnished and printing done by the superintendent of printing for another department, unless for city documents, from the appropriation for such other department to the appropriation for the printing department, to be used as a part of the same; shall charge as an expenditure of the department whose trans- action, act, or neglect caused a claim or suit, every amount paid in settlement, or on execution, therefor, unless provision is made for such payment out of some other appropriation; and shall charge to the appropriation for each division of the public works department, or to the appropriation for any special work, the amount of all bills for materials, tools, or machinery furnished for such division, or for such work, by other divisions of said department, and shall credit such amount to the general revenue of the city, unless such materials, tools or machinery have been furnished by the water service, in which case the amount charged shall be credited to the water income.

Payments in
settlement and
executions, how
charged.

Accounts of
public works
department.

Monthly report
to mayor.

SECT. 7. The auditor shall, immediately after the first day of every month, make to the mayor a report showing the amounts of the several appropriations, the amounts of all drafts on account of each appropriation made during the month preceding, the amounts of such drafts made since the beginning of the financial year, and the balance of such appropriation remaining subject to draft.

SECT. 8. The auditor shall include in his annual report a Annual report. statement of all the receipts and expenditures of the city for the past financial year, giving in detail the amount of each regular and special appropriation and the expenditures therefrom, the receipts from each source of income, the reduction, if any, of the city debt, and the change, if any, in the sinking funds; said statement shall be arranged so far as practicable to conform to the accounts of the city treasurer and city collector, and shall be accompanied by a schedule of the property belonging to the city, and by an exhibit showing the debts due from the city, the interest thereon, the years in which such debts will become due, and the amount of sinking fund for each debt.

CHAPTER 7.

BOSTON RETIREMENT DEPARTMENT.

SECTION 1. The Boston retirement department shall be St. 1922, c. 521. under the charge of the Boston retirement board, who shall exercise the powers and perform the duties provided by statute.

CHAPTER 8.

BOSTON SANATORIUM DEPARTMENT.

SECTION 1. The Boston Sanatorium department shall be under the charge of a board of seven trustees, appointed by the mayor for terms of five years each, and at least two of the trustees shall be women. The trustees shall serve without compensation, but all expenses reasonably incurred by them in the performance of their duty shall be paid if approved by a recorded vote of the board of trustees. They shall have the charge, care and maintenance of the Boston Sanatorium; shall make necessary improvements in the land and grounds connected therewith; shall have charge of all real estate held for purposes connected with the sanatorium, and pay to the city collector any income thereof.

SECT. 2. The trustees shall admit to the Boston Sanatorium Rules. only persons who are *bona fide* residents of Boston at the time of their application for admission. The trustees shall have power to make necessary rules and regulations for the sanatorium, and for the admission of patients. The charges for the support Charges. of patients who are able to pay for the same, or have persons or kindred bound by law to maintain them, shall be paid by such

patients, persons or kindred at a rate determined by the trustees, and all amounts so received shall be paid to the city collector.

Annual report.

SECT. 3. The trustees shall, in their annual report, include a statement of the condition of the sanatorium, the number of patients, the admissions to, the discharges from, and the deaths in the hospital during the year.

CHAPTER 9.

BUDGET DEPARTMENT.

SECTION 1. The budget department shall be under the charge of the budget commissioner, who shall, under the direction of the mayor, prepare in segregated form the annual and all supplementary budgets to be submitted by the mayor to the city council. The commissioner shall further prepare under the direction of the mayor the form of estimate sheets to be used by each officer, board, commission and department, and each division of a department, for which the city appropriates money. and shall also prepare the form of monthly report of such officer, board, commission and department, and each division thereof, showing expenditures to date of all appropriations by item. The commissioner shall report to the mayor on all subsequent revisions of the items in the budget.

CHAPTER 10.

BUILDING DEPARTMENT.

St. 1907, c. 550. SECT. 1. The building department shall be under the
St. 1914, c. 782, charge of the building commissioner, who shall exercise the
and c. 795. powers and perform the duties provided by statute, and may appoint not exceeding thirty building inspectors for duty in his department.

Board of Appeal.

St. 1907, c. 550. SECT. 2. There shall be in the building department a board
sects. 6 and 7. of appeal consisting of five members, who shall exercise the
St. 1912, c. 713. powers and perform the duties provided by statute.
St. 1910, c. 631.

Board of Examiners.

Board of ex- SECT. 3. There shall be in the building department a board
aminers. of examiners, consisting of three members, who shall exercise
St. 1912, c. 713. the powers and perform the duties hereinafter provided.
Ords. 1912, c. 9 Each member shall receive ten dollars for every day or part

thereof of actual service; the compensation for the chairman shall not exceed one thousand two hundred dollars and for each of the other members one thousand dollars in any one year.

SECT. 4. The board shall hold examinations, under reason- Examinations.
able rules and regulations adopted by it, of persons desiring to be registered as qualified to have charge or control of the construction, alteration, removal, or tearing down of buildings or structures. Due notice of such examinations shall be posted in the offices of the building department and of the board of examiners and published in the *City Record*.

The board shall establish various classes of persons to be Registration.
registered, shall determine the qualifications required for each class, and after examination shall register in each class the persons found to possess the requisite qualifications therefor. The name and address of each person so found to be qualified, with the designation of the class in which he is registered, shall thereupon be certified by the board to the building commissioner who shall make a record of the same which shall be open to public inspection.

SECT. 5. All work of construction, alteration, removal or tearing down of buildings or structures in the city of Boston shall, hereafter, be under the charge, control and personal supervision of a licensed mechanic, qualified by education, training or experience for the performance of that duty in a manner which shall preserve public safety and conform to the laws, ordinances, rules and regulations relating to the construction, alteration, removal or tearing down of buildings and structures in the city of Boston.

SECT. 6. The qualifications of such persons shall be deter- Permits to persons licensed.
mined by the board of examiners, and no permit for the doing of work described in section five of this chapter shall be issued by the building commissioner unless the application for a permit therefor contains the name, address and signature of a person who is duly licensed, as herein provided, to take personal charge or control of such work; provided, however, that a permit may be granted if no person licensed as aforesaid has been named in the application therefor whenever the work in question is of minor importance, and, in the opinion of the building commissioner, stated in writing with his reasons therefor upon the application for such permit, the work is of such simple character that its execution will not endanger the safety of the public, or of any person engaged thereon.

Exemption
from examina-
tion.

SECT. 7. Any person who shall by affidavit, together with such other evidence as may be required by the board, show to the board that he has had charge or control of the construction, alteration, removal or tearing down of buildings or structures in the class in which he applies to be registered, and shall satisfy the board that he is qualified by education, training or experience to have charge or control of such work, may, without any other examination, be registered in such class and be certified to the building commissioner as a person qualified within such class.

SECT. 8. The board shall issue a license to each person so certified by the board to the building commissioner. All licenses shall expire in one year from the date of issuance. The board may renew a license upon any expiration thereof, for the further period of one year from the date of renewal, with or without re-examination, as the board may determine. The fees to be paid to the board for such licenses and renewals shall be as follows:

New license, five (5) dollars; and each yearly renewal thereof two (2) dollars.

The first renewal of a license heretofore granted, five (5) dollars; and each yearly renewal thereof two (2) dollars.

Special license, one (1) dollar.

The fees received by the board shall be paid to the city collector at least once a week.

Revocation of
license.

SECT. 9. A person who has been duly licensed as aforesaid shall be entitled to have charge or control of any work described in section five of this chapter, in the class in which he is registered, until his license is revoked or suspended by the building commissioner upon the order of the board. No license shall be revoked or suspended except upon proof of charges, filed with the board by the building commissioner or other person, specifying that the licensee has been careless or negligent in the performance of his duty in connection with work under his charge or control, or has caused or permitted a violation of the building laws in connection therewith, or that such laws have been violated in connection with such work when the licensee knew, or, in the exercise of due diligence, should have known, that such violation had occurred. Upon learning of such carelessness, or neglect of duty, or of such violation of law, the building commissioner shall file charges with the board and prosecute the same. Upon the filing of such charges by the building commissioner or other person, the board shall

Charges.

give to the licensee notice of a hearing upon the charges which shall be held by the board not less than seven days after the date of said notice. The notice shall be by personal service or by registered mail, and shall state the time and place of the hearing and contain a copy of the charges. At such hearing the licensee may be represented by counsel, and the building commissioner may be assisted by a representative of the law department of the city.

SECT. 10. If, for any cause, a person licensed as herein provided shall cease to have charge or control of any work described in section five of this chapter before such work is finished, the work shall stop until another person duly licensed for the doing of such work has been placed in charge thereof.

SECT. 11. Whoever violates any provision of sections five or ten of this chapter shall be punished by a fine of not more than fifty dollars for each offence.

CHAPTER 11.

CITY CLERK DEPARTMENT.

SECTION 1. The city clerk department shall be under the charge of the city clerk, who shall exercise the powers and perform the duties provided by statute; shall have the care and custody of all records, documents, maps, plans, and papers of the city, concerning the care and custody of which no other provision is made; shall attend all meetings of the city council, and keep records of such meetings; shall cause every ordinance to be printed as a city document as soon as may be after its passage and, unless otherwise provided, to be published once a week for three weeks successively in two daily newspapers published in this city; shall keep a copy of the last revision of the ordinances with all amendments codified and arranged therein; shall keep a book containing a record of notices of accidents caused by defects in the streets; and shall, at the close of each municipal year, prepare and print as a city document a supplement of the revised ordinances containing all the ordinances passed during the year.

SECT. 2. The city clerk shall keep a book containing the dates of appointment of all officers appointed by the mayor or elected by the city council and a statement, which shall be signed by every such officer, that he accepts his office subject to the statutes and ordinances.

Hearing.

Notice.

Stopping work.

Penalty.

G. L., c. 41.
St. 1909, c. 486.
sec. 22.Attend meet-
ings of city
council.Publish and
print ordi-
nances.St. 1881, c. 229,
sec. 3.Print supple-
ment of revised
ordinances.Shall keep
record of
appointments.

Minor's
licenses.

SECT. 3. The city clerk shall, when so directed by the city council, issue licenses and badges to minors, and shall in such case see that every such licensee conforms to the conditions of his license.

Assistant city
clerk.

G. L., c. 41,
sec. 18.

SECT. 4. The city clerk shall appoint, subject to the approval of the mayor, an assistant city clerk, who shall be sworn to the faithful discharge of his duties, shall hold office until his successor is appointed and qualified, shall assist the city clerk in the performance of the duties of his office, and shall discharge the duties of the city clerk when that officer is absent, or when there is a vacancy in that office. The certificate or attestation of the assistant city clerk shall have the same effect as that of the city clerk.

CHAPTER 12.

CITY PLANNING DEPARTMENT.

St. 1913, c. 494. SECTION 1. The city planning department shall be under the charge of a board of five members who shall serve without pay, at least one of whom shall be a woman.

Secretary.

SECT. 2. The board shall appoint a secretary not of their own number, who shall receive such compensation for his services as the board may fix and determine.

Powers and
duties.

SECT. 3. The board shall exercise the powers and perform the duties provided by chapter four hundred ninety-four of the Acts of 1913 relative to local planning boards.

ZONING BOARD.

Zoning board. St. 1924, c. 488. SECTION 4. The board of zoning adjustment shall be appointed in the manner set forth in section twenty of chapter four hundred eighty-eight of the Acts of 1924. The board shall exercise the powers and perform the duties provided by statute.

CHAPTER 13.

COLLECTING DEPARTMENT.

St. 1875, c. 176. SECTION 1. The collecting department shall be under the
St. 1909, c. 490. charge of the city collector, who shall exercise the powers
Part II. and perform the duties of collectors of taxes of towns; shall
St. 1912, c. 272. have the custody of all leases from, and of all tax deeds of
lands held by, the city; shall collect and receive all money to be
paid to, or for the use of, the city of Boston or the county of

Suffolk, except where other provision is made; shall, within twenty-four hours after receiving any money for the city, pay the same over to the city treasurer, with a statement of the different accounts on, or purposes for, which the same were received, taking a receipt for the same; and shall require from his subordinates, for the faithful performance of their respective duties, and for the safe custody of the money and other property intrusted to them, bonds to himself as obligee, with sureties Bonds. satisfactory to the mayor, as follows: from the cashier a bond in the penal sum of not less than twenty thousand dollars, and from the deputy collectors bonds in the penal sum of not less than five thousand dollars each.

SECT. 2. The collector shall cause to be sold, pursuant to Tax sales. G. L., c. 60. sec. 52. the provisions of law applicable thereto, all real estate taken or purchased and held by the city for non-payment of taxes or assessments.

SECT. 3. The collector shall, within a reasonable time after List of tax sales. he has caused any real estate to be sold for the non-payment of a tax or assessment, enter such sale in an alphabetical list, kept in his office for public reference, giving the date of the sale, the location of such real estate, the name of the person or persons, if known, against whom such tax or assessment was laid, and the amount for which the sale was made.

SECT. 4. The collector shall, whenever a water-rate is not Summons for water-rates. paid within the time required by ordinance or by the commissioner of public works, serve a summons at the premises for which the water-rate is due; and, unless such rate is paid within three days thereafter, together with twenty-five cents for said summons, he shall immediately notify said commissioner thereof and shall thereafter require, in addition to the amount of the water rate, twenty-five cents for the summons, and two dollars for shutting off and letting on the water, and when the same has been paid shall immediately notify said commissioner thereof. The foregoing provision shall apply when two or more persons take water from the same service-pipe although one or more may have paid the amount due from him or them.

SECT. 5. The collector, upon the application of any person Certificate of claims against real estate; fee. G. L., c. 60. sec. 23. interested in any parcel of real estate and the payment of a fee of one dollar, shall certify in writing whether or not there are any claims of the city for taxes, assessments, or otherwise against said real estate, or any part thereof, in his office for collection, and if there are any such claims, shall certify the

nature and amount thereof, but no charge shall be made for information relating to taxes and assessments where a certificate is not requested or where a duplicate receipted tax bill is not furnished at the request of the person applying for information.

Monthly reports of receipts.

Annual report.

SECT. 6. The collector shall make to the mayor and to the city auditor monthly reports in writing of all money received by him, and the disposition thereof, and of the accounts upon which such money has been received; and shall include in his annual report a statement of all money received by him during the year, the particular warrant, assessment, or account upon which each amount was received, the disposition of such money, and the balance of money uncollected on the respective warrants and assessments, or schedules of departments, in his hands.

CHAPTER 14.

ELECTION DEPARTMENT.

St. 1895, c. 449, secs. 2 to 8, inclusive.
St. 1913, c. 835, sec. 78.

SECTION 1. The election department shall be under the charge of a board of four commissioners, who shall exercise the powers and perform the duties provided by statute; and shall, in their annual report, include a statement of the number of male and female persons registered as voters in each voting precinct of the city, and the number of such persons voting at each election held during the preceding year for each person for whom votes were deposited for governor and for mayor.

CHAPTER 15.

FIRE DEPARTMENT.

St. 1895, c. 449, secs. 9, 10, 11.
St. 1914, c. 795.

SECTION 1. The fire department shall be under the charge of the fire commissioner, who shall exercise the powers and perform the duties provided by statute; and shall appoint a chief of department, deputy chiefs, district chiefs, engineers, and other firemen.

Two platoons.

SECT. 2. The commissioner shall arrange the officers and members of the fire department into two bodies or platoons, which shall be designated as a day force and a night force, and the day force and night force shall alternate on tours of duty every third day.

Hours on duty.

SECT. 3. The hours of duty of the day force shall be from eight o'clock ante meridian to six o'clock post meridian, and the hours of duty of the night force shall be from six

o'clock post meridian to eight, o'clock ante meridian; provided, that on every third day, for the purpose of alternating the day force with the night force and *vice versa*, the number of hours of duty herein stated may be exceeded, but one force shall be at liberty at all times, except as otherwise provided in section four of this ordinance.

SECT. 4. In case of a conflagration, the officer or board having charge of the fire fighting force shall have full authority to summon and keep on duty any or all of the members of the fire fighting force while the conflagration continues.

SECT. 5. The provision of the three preceding sections shall not repeal, affect or change any rule, order or ordinance now in force relating to the fire department, or the officers or members thereof, except as herein specified.

SECT. 6. The commissioner shall appoint a superintendent of fire-alarm, who shall, under the direction of the commissioner, have the entire care and maintenance of the wires, posts, machinery, and appliances of the fire-alarm telegraph and telephone system; shall see that all such wires, posts, machinery, and appliances are maintained in good order and condition; and shall keep in his office a map showing the locations of the same. Superintendent of fire-arm.

SECT. 7. The commissioner shall furnish to every person who has served in the department for seven successive years a certificate of that fact signed by the mayor. Furnish certificate of seven years' service.

SECT. 8. The commissioner shall make to the mayor a monthly report of the location and number of fires that have occurred in the preceding month, the cause of the same and the amount of property destroyed thereby, and shall, in his annual report, include a brief summary of such matters. Monthly reports of fires.

SECT. 9. The commissioner shall, before calling before him a member of the department for a hearing on charges, give such member at least twenty-four hours' notice of the charges made, and shall allow him to be represented at the hearing by counsel. Notice of charges.

SECT. 10. The fire commissioner shall exercise the powers and perform the duties conferred and imposed by law upon the wire commissioner and shall establish in the fire department a division to be known as the wire division. The wire division shall be in charge of a deputy appointed by the fire commissioner, who under the direction of the fire commissioner shall carry out the provisions and requirements of law relating Wire division.

to wires and electrical appliances and the inspection of wires in the city of Boston. The salary of the deputy shall be fixed by the fire commissioner, subject to the approval of the mayor.

SECT. 11. The hours of labor prescribed for firemen under the provisions of this chapter shall not apply to the deputy, subordinates and employees of the wire division of the fire department.

CHAPTER 16.

HEALTH DEPARTMENT.

Appointment
of commis-
sioner.
Duties.

SECTION 1. The health department shall be under the charge and control of the health commissioner, who shall exercise the powers and perform the duties conferred or imposed by law upon the board of health of the city of Boston or upon the chairman thereof.

Divisions.

SECT. 2. The health commissioner shall establish the following divisions of the health department: medical division, child hygiene division, sanitary division, food inspection division, laboratory division, and division of vital statistics, records and accounts, the last division to be in charge of the officer entrusted with the duty of preparing vital statistics. Each division shall be in charge of a deputy commissioner, who shall be appointed by the health commissioner. Each deputy commissioner shall be a person of recognized standing in his profession or occupation and shall be an expert in the duties which may devolve upon him. In appointing a deputy commissioner the health commissioner shall certify under oath that he is a person of recognized standing in his profession or occupation, that in the commissioner's opinion he is an expert in the work which will devolve upon him, that he is a person specially fitted by education, training or experience to perform the duties of the office, and that the appointment is made solely in the interest of the city, such certificate to be filed with the city clerk and to be open to public inspection. The salaries of the deputy commissioners shall be fixed by the health commissioner subject to the approval of the mayor.

Deputy
commissioners.

Quarantine,
and hospitals
for infectious
diseases.

SECT. 3. The health commissioner shall include in his annual report a review of the sanitary condition of the city; shall have charge of the hospital for persons having infectious diseases, established by the city, and of the patients in said hospital; shall keep on hand, so far as practicable, a sufficient

quantity of vaccine virus and antitoxin, and supply the same Vaccine virus and anti-toxin.
 free of charge to the physicians in the several departments
 and in the Boston Dispensary; shall authorize the occupancy
 or use of stables; shall have the care and custody of all urinals Stables. Urinals.
 and public convenience stations now or hereafter established
 by the city, except those located upon park lands or public
 grounds; and shall have the supervision of the burial of the Burials.
 dead.

SECT. 4. The commissioner may appoint a city physician, City physician.
 to make examinations when requested by the police commis-
 sioner, at the expense of the police department, and certify to
 the police commissioner the condition of candidates for appoint-
 ment on, and of members of, the police force, and to make
 examinations when requested by the fire commissioner, at the
 expense of the fire department, and certify to the fire commis-
 sioner the condition of the members of the department. The
 commissioner shall appoint one or more medical inspectors and Medical inspectors.
 require them to attend upon all cases requiring medical or
 surgical services in the jail, the city prison in the court-house,
 and the city temporary home, when requested by the officer in
 charge of, and at the expense of, the institution or department
 in which the cases are; to vaccinate and revaccinate all in- Vaccination and certificates.
 habitants of the city who apply for vaccination; and to give
 the certificates of vaccination required for admission to the
 public schools. The commissioner shall appoint a superin-
 tendent of peddlers, and require him to see that every hawker Peddlers.
 and peddler conforms to law.

CHAPTER 17.

HOSPITAL DEPARTMENT.

SECTION 1. The hospital department shall be under the St. 1858, c. 113.
 charge of a board of five trustees, who shall have charge of the St. 1880, c. 174.
 Boston city hospital and of the care and maintenance thereof; St. 1901, c. 518.
 shall make all needful improvements in the lands and grounds
 connected with said hospital; shall have charge of all real estate
 held for purposes connected with the city hospital, and pay or
 cause to be paid to the city collector the income thereof.

SECT. 2. The trustees shall admit to the city hospital only Admission to hospital.
 sick or injured persons requiring temporary relief, unless for
 good cause, and shall remove all sick or injured persons as

soon as their condition will permit of such removal; they may allow persons making compensation therefor separate apartments and special accommodations, and the compensation so received shall be paid over to the city collector.

Annual report. SECT. 3. The trustees shall, in their annual report, include a statement of the condition of the hospital, the number of its inmates, the admissions thereto and discharges therefrom, and the births and deaths therein during the year.

CHAPTER 18.

INSTITUTIONS DEPARTMENT.

SECTION 1. The institutions department shall be under the charge of the commissioner of institutions. All the rights, powers, duties and obligations conferred or imposed upon the Boston infirmary department, the children's institutions department and the institutions registration department or their successors shall be exercised and performed by the institutions department which shall be the lawful successor of the said departments.

SECT. 2. The commissioner shall be the executive and administrative head of the department and may organize it in such manner as he may find necessary for its proper conduct.

SECT. 3. The mayor, subject to the provisions of Special Acts of 1919, chapter 222, section 2, may appoint, and fix the compensation of, not more than two deputy commissioners, who shall act directly under the commissioner of institutions and perform such duties as the said commissioner shall direct.

SECT. 4. The commissioner shall have no control of either Deer Island or the House of Correction at Deer Island.

Conservation Bureau.

SECT. 5. The conservation bureau shall be in charge of a board of nine members, who shall exercise the powers and perform the duties provided by ordinance. The chairman of the board shall be designated by the mayor. The members shall serve without compensation.

SECT. 6. The bureau shall from time to time make such recommendations to the mayor as in their opinion will be conducive to the conservation of human life and the promotion of public health.

SECT. 7. The bureau may appoint such additional persons as in its judgment it may deem necessary, who shall be designated as advisory members, but in no case shall the said advisory members consist of more than one hundred.

CHAPTER 19.

LAW DEPARTMENT.

SECTION 1. The law department shall be under the charge of the corporation counsel, who shall furnish opinions on the law of any subject or question that may be submitted to him by the mayor or the city council, and on any subject or question relating to the discharge of their or his official duties that may be submitted to him by the school committee, by any committee of the city council, or by four members of the city council, or by any officer in charge of a department of the city government; shall, on application, advise any officer or employee of the city on any question of law connected with the discharge of his official duties; shall, subject to the direction of the mayor, or of any committee of the city council having charge of matters before the general court of the Commonwealth, appear by himself or assistants as counsel for the city before the general court or before any committee thereof, when the interest or welfare of the city is directly or indirectly affected; shall draft and approve the form of all written contracts; shall by himself or by the city conveyancers examine all titles to real property which the city is to acquire, and furnish without charge all deeds or other legal papers necessary for the transfer of property to or from the city which the city is required by law, or has been accustomed, to so furnish; and shall audit all bills incurred by the department; shall, subject to the direction of the mayor, institute any suit or proceeding in behalf of the city which he shall deem the interest of the city requires; shall by himself or by his assistants in the law department appear as counsel in all suits, actions, or prosecutions which may involve the rights or interests of the city, and defend the officers of the city in suits against them for their official actions, or for the performance of their official duties, or when any estate, right, privilege, interest, ordinance, act, or direction of the city is brought in question; may take such steps, and incur such expenses, for

See c. 3, sec. 17. the prosecution and defence of suits as he deems necessary; shall examine into the settlement of a claim when requested so to do by the mayor or the head of any department, and, if he deems such settlement advantageous to the city, shall approve the same; and may settle any suit against the city when the settlement is approved by a vote of the committee on claims, approved by the mayor, provided such settlement can be effected for a sum not exceeding four thousand dollars.

SECT. 2. No person connected with the law department shall, except as hereinbefore provided, appear in court in any case to which the city is not a party.

CHAPTER 20.

LIBRARY DEPARTMENT.

St. 1853, c. 38. SECTION 1. The library department shall be under the
St. 1878, c. 114. charge of a board of five trustees, who shall adopt such measures
St. 1885, c. 266, as shall extend the benefits of the institution as widely as
secs. 6, 12. possible, and may from time to time establish branch libraries and delivery stations in different sections of the city; and shall annually appoint an examining committee of not less than five persons, not members of the board, who, with one of the board as chairman, shall examine the library and make to the board a report of its conditions.

Annual report. SECT. 2. The board shall, in its annual report, include a statement of the condition of the library, the number of books that have been added thereto during the year, the report of the committee appointed to examine the library, and the total amount of money received from fines and sales.

CHAPTER 21.

MARKET DEPARTMENT.

SECTION 1. The market department shall be under the charge of the superintendent of markets, who shall have the charge and control of Faneuil-hall market and Faneuil-hall market limits; shall preserve order therein; shall make such changes, and place or allow to be placed in said market such pipes, drains, and other appliances, as he may deem proper; shall take and forthwith destroy any article of food which in his opinion is diseased, unwholesome, or tainted, and is kept for sale within such market limits. The superintendent or either

Diseased articles of food.

of his deputies may assign stands within such market limits ^{Assignment of} for the sale of provisions and other articles, and may, at the ^{stands.} expense of the owner thereof, remove from one place or stand to another within such limits, or to, and to be kept in, a proper storage place: until the expense is paid, any merchandise, vehicle, or animal, not under the charge of any person, or not immediately so removed on the direction of the superintendent or either of his deputies.

SECT. 2.* The superintendent shall, on the expiration of ^{Lease of} leases of stalls in Faneuil-hall market, lease them for a term of ^{stalls.} ten years from the day of such expiration, at rents not less than those which shall be established by vote of the city council therefor; shall, after the establishment of such rents, notify the lessees then occupying said stalls and cellars of the rents to be paid therefor; shall give a new lease at such rents to such of said lessees as in writing notify him that they desire to retain at such rents their respective holdings; and shall lease to suitable persons, for the remainder of any existing term, all stalls and cellars which become vacant, or the leases of which shall be cancelled, at not less than the rents previously paid therefor. All leases shall be approved by the mayor, and shall be on the following conditions:

1. The lessee shall comply with the ordinances, regulations ^{Conditions.} and orders relating to Faneuil-hall market, or the Faneuil-hall market limits as defined by said ordinances.

2. The lessee shall, at his own expense, keep the demised premises in good repair and condition.

3. The lessee shall not place, or suffer to be placed or kept, any article in any passageway of said market, or within the demised premises, so as to project into any such passageway, unless with the consent of the superintendent of markets, or one of his deputies.

4. The lessee shall not, within said market, as defined by said ordinances, smoke, or have in his possession, or suffer or allow any of his employees to smoke, or have in his possession, any lighted pipe, cigar or cigarette.

5. The lessee shall not, without the approval in writing of the superintendent previously obtained, underlet, or assign, or suffer any other person to occupy, the demised premises; nor shall he, without such approval, carry on any business therein other than that for which the premises are leased.

* For the period of ten years from October 1, 1919, leases were authorized by a special order of the City Council.

6. The lessee shall not throw, or permit to be thrown, into any part of the market limits, or suffer to remain within the demised premises, any animal substance, scrapings, or any kind of dirt, filth, or useless matter, but shall keep and remove the same as the superintendent or either of his deputies shall direct.

7. The lessee shall pay his rent in quarterly payments to the city collector, on or before the first day of July, October, January, and April of each year.

8. The lessee shall pay all water rates.

9. The lessee shall not continue to employ any person within the market limits after such person shall have been objected to by the superintendent.

10. The lessee shall not become bankrupt, or insolvent, or allow the demised premises to remain unused for a longer period than fifteen days.

11. The lessee shall not interfere with or impede the superintendent when entering the demised premises to view, or to make repairs or improvements.

12. The lessee shall have the demised premises, on all week days except legal holidays opened from March 1 to April 1, at 6.30 o'clock a. m.; from April 1 to May 1, at 6 o'clock a. m.; from May 1 to September 20, at 5.30 o'clock a. m.; from September 20 to October 1, at 6 o'clock a. m.; from October 1 to December 1, at 6.30 o'clock a. m.; from December 1 to March 1, at 7 o'clock a. m., and kept open until 5 o'clock in the afternoon, provided, however, that on the day of the observance of Patriots' day, Memorial day, Independence day and Labor day, when Monday or Saturday, and on the day of the celebration of the battle of Bunker Hill, he shall have such premises opened as above, and kept open until 9 o'clock in the morning, and on all other Saturdays he shall have them opened as above and kept open until 6 o'clock in the evening; or have them opened and closed at such other hours as the city council may from time to time order.

13. The lessee shall quit and deliver up the demised premises peaceably and quietly at the end of the term, in as good order and condition as the same are at the beginning of the term, or may be put into during the term.

The lessee shall also agree that on the violation of any of the foregoing conditions, the city by the superintendent may,

without notice, and forcibly if necessary, enter upon and take possession of the demised premises, and expel the lessee and his assigns, and that by such violation the lease shall be cancelled.

CHAPTER 22.

PARK DEPARTMENT.

SECTION 1. The park department shall be under the charge St. 1875, c. 185. of a board of three commissioners, one of whom shall be landscape engineer or an architect of not less than five years' experience, familiar with the theory and practice of designing, laying out and maintaining parks. The chairman shall be designated by the mayor and shall receive the salary established by ordinance, and shall devote his whole time to the work. The other members shall serve without pay. The board shall appoint a deputy commissioner, who shall devote Deputy Commissioner. his whole time to the work, and shall appoint a secretary, engineers, physicians, subordinates and employees, define their Other employees. powers and duties, and fix the amount of their compensation.

SECT. 2. The board shall exercise the powers and perform Powers transferred. the duties herein enumerated, and all other powers and duties now or heretofore required by law or ordinance to be exercised and performed by the park commissioners, the superintendent of public grounds, the trustees of the bath department, the trustees of the music department, and the trustees of the cemetery department, and shall be the lawful successors of said officers.

SECT. 3. The board shall construct, improve, equip, supervise, and regulate the use of, all parks, public grounds, playgrounds, baths and beaches formerly under the charge and control of the park commissioners, the superintendent of public grounds or the trustees of the bath department, or that hereafter may be placed in charge of the park department, or that may be taken by purchase or otherwise; and such other parks, playgrounds, public grounds, ways, or means for outdoor recreation as may be placed in the charge of the department by the city, the board of metropolitan park commissioners, or the legislature, or in any other manner. The board shall construct, improve, equip, supervise, and regulate the use of, all gymnasia, bath houses, or other means for public recreation, now or hereafter provided by the city; and shall have Control of parks, public grounds, baths, beaches, gymnasia and convenience stations.

the care, custody and control of, and shall construct, all urinals and public convenience stations upon park lands and public grounds.

Music.

SECT. 4. The board shall have the charge and control of the selection of public music to be given for parades, concerts, public celebrations and other purposes under appropriations of the city council, shall designate the persons to furnish the same, make the contracts, and expend the moneys to be paid from the city treasury, for such music.

Care of trees.

SECT. 5. The board shall have the care and superintendence of all trees, plants and shrubs belonging to the city; shall trim all shade trees standing in the street so that they shall not interfere with public travel; shall carry out all orders of the street commissioners made after public notice and hearing to remove trees standing in the street; shall, upon request of the officer having charge of the public lamps, trim in such manner as said officer may require any tree which interferes with the proper lighting of a street; shall cause all statutes and ordinances for the protection of trees, shrubs and flowers in the public grounds and streets to be strictly observed; and shall be deemed to be the officials having charge of shade trees within the meaning of chapter eighty-seven of the General Laws.

Rules.

SECT. 6. The rules and regulations now in force for the use and government of parks, parkways, playgrounds and streets shall continue until changed by the board, with the approval of the city council; and the board, with the approval of the city council, may establish from time to time regulations for the use and government of parks, parkways, playgrounds, streets, buildings and all premises in its charge. Whoever violates any such regulation shall be punished by a fine not exceeding twenty dollars for each offence and not only the person actually doing the prohibited thing but also his employer and every person concerned in so doing shall be punished by such fine.

Penalties.

Seats on Common and Public Garden.

SECT. 7. The board shall set aside and suitably designate seats on the Common and Public Garden during the months of June, July, August and September of each year for the exclusive use of women and of children under the age of twelve years.

SECT. 8. The board shall exercise the powers and perform the duties provided by statute or ordinance to be exercised

and performed by the trustees of the cemetery department, and shall create a division to be known as the cemetery division of the park department.

SECT. 9. The board may determine the payments to be made for cemetery lots, or for the perpetual or other care thereof. The chairman of the board, after payment therefor has been made to its secretary, may execute and deliver to the person or persons by or for whom the payment has been made, a deed of the city conveying the exclusive right of burial of ^{Deeds for lots.} human dead in, and of placing and maintaining tombs, cenotaphs and monuments, authorized by the board or officer having, at the time of placing the same, charge of the cemetery, upon the lot or subdivision described in the deed, and shall cause the deed to be recorded in the office of the board. Every such conveyance shall be subject to the following restrictions, or such other regulations and restrictions relating to said cemetery or the lots therein as shall from time to time be established by the city by ordinance.

Restrictions.

First. The owner shall use the lot only for the purposes ^{Restrictions.} stated in his deed thereof.

Second. The owner shall not, for hire, deposit or allow to be deposited in said lot the remains of any person.

Third. The owner shall not, without the consent of said board or officer, remove, or allow to be removed, the remains of any person deposited in said lot.

Fourth. The owner shall not, without the consent of said board or officer, place or allow to be placed on, or remove or allow to be removed from, said lot any tomb, cenotaph or monument, or any hedge, tree, fence, curb, or other ornament.

Fifth. The owner shall remove from the cemetery any unauthorized structure or other thing on said lot and said board or officer may so remove at the expense of the owner any such structure or other thing, or any tree, shrub, flower, fence, curb, or other ornament not removed within the time stated in a notice from said board or officer; and the owner shall comply with all rules and regulations of said board or officer relating to said cemetery or lot.

Sixth. The owner shall convey said lot only as a whole, and shall never divide said lot, and if there are two or more owners they shall designate in writing one of their number to represent

the lot, and while they neglect so to do said board or officer may designate the one to represent the lot.

Agreement for
perpetual care.

SECT. 10. The chairman of the board, after payment to the city treasurer for the city, for keeping in repair any lot in any cemetery or other burial-ground owned by the city, may execute and deliver to the person by or for whom the payment has been made an agreement that the city shall keep the lot, and the structures and grass thereon, in a good and neat condition forever, or during the period specified in the agreement, so far as the same can be done by the expenditure of an amount equal to four per cent. per annum of the amount of money so paid from the time of such payment; and the board shall cause all such agreements to be faithfully carried out.

CHAPTER 23.

PENAL INSTITUTIONS DEPARTMENT.

St. 1895, c. 449,
sec. 14.
St. 1896, c. 536,
sec. 9.
St. 1897, c. 395,
sec. 5.

SECTION 1. The penal institutions department shall be under the charge of the penal institutions commissioner, who shall exercise the powers and perform the duties provided by statute; and shall have the charge and control of Deer Island and the House of Correction at Deer Island.

SECT. 2. The penal institutions commissioner shall exercise the powers and perform the duties in regard to the House of Correction at Deer Island and the prisoners committed thereto formerly exercised and performed by the institutions commissioner.

SECT. 3. The penal institutions commissioner shall be the executive and administrative head of the department and may organize said department as he may find necessary for its proper conduct.

Annual report.

SECT. 4. The commissioner shall, in his annual report, include a statement of the expenditures and receipts of each institution for the preceding financial year, giving the condition of each, with the number of inmates admitted thereto and discharged therefrom, the births and deaths therein, and the number of persons remaining in the same.

CHAPTER 24.

PRINTING DEPARTMENT.

SECTION 1. The printing department shall be under the charge of the superintendent of printing, who shall have charge of the printing plant and of all the printing of the city, shall supply all printing, binding, stationery and other office supplies, except furniture, used by any board, commission or department for which the city of Boston is required by law to furnish such supplies, and shall, wherever practicable, standardize all such printing, binding, stationery and other office supplies.

SECT. 2. The superintendent shall number and print as city documents copies of the mayor's address, the department reports and such other matter as may be ordered to be printed in the form of a city document by the city council or by the mayor. The number of copies of each document to be printed shall, unless specified by the city council, be determined by the mayor; provided, however, that the minimum shall be two hundred, of which number one hundred copies shall be bound up in sets of volumes containing all such city documents with an alphabetical index. All city documents and sets of volumes shall be delivered to the city messenger and distributed in such manner as the city council may direct. Special publications shall, from time to time, be printed upon order of the city council approved by the mayor, to which the provisions of this section, except as to distribution, shall not apply.

SECT. 3. All printed matter done for the city of Boston shall, so far as it can legally do so, bear the imprint of the union label of the Allied Printing Trades Council of Boston.

SECT. 4. The term "printing" in this ordinance shall be construed to mean all engraving, stereotyping, electrotyping, lithographing, photographing and other methods of work used in illustrating books, so far as the same are to be applied to any documents printed for or by the city government or any of its departments. The terms "binding" and "stationery" shall also be given the fullest meaning.

SECT. 5. The superintendent shall, in his annual report, include a statement of the cost of printing, binding, stationery and office supplies, supplied to each department.

CHAPTER 25.

PUBLIC BUILDINGS DEPARTMENT.

SECTION 1. The public buildings department shall be under the charge of the superintendent of public buildings, who shall have the care, custody and management of, shall make all repairs in or upon, and provide furniture for, all buildings and parts of buildings belonging to or hired by the city, not wholly in charge of one department, or for which no other provision is made by statute or ordinance, whether the same are used for city or county purposes, and may, with the approval of the mayor, hire such buildings or rooms as may be required for such purposes; shall have the care and custody of the flags belonging to the city hall and to the old state house; shall have the care and control of the city hall and the city hall annex; shall display the national colors upon the city hall on every day, except Sundays, weather permitting; and shall have charge of all city property in the armories provided by the city for the militia.

Ward-rooms,
see St. 1914,
c. 630.

SECT. 2. The superintendent shall designate, in the places named in orders of the city council, a suitable room to be used for a ward-room for the ward in which it is situated, and in case any such room cannot be so used at any time, the superintendent shall provide accommodation elsewhere for any public meeting in such ward for which he shall issue a permit.

Custody of
ward-rooms.

SECT. 3. The superintendent shall have the care and custody of, shall determine the use of, and provide for opening, closing, lighting, and heating the ward-rooms; shall frame and keep in some conspicuous place therein a copy of this and the following section, and as soon as a list or a revised list of voters in a ward is prepared by the election commissioners shall keep posted or hung up a copy thereof in the ward-room of the ward in such a manner as to be readily accessible to the public, and such copies shall be altered, revised or removed only under the direction of the election commissioners or the superintendent.

Posting voting
lists.

Permits for
ward-rooms.

SECT. 4. The superintendent, when a written application (containing a copy of the call for a meeting notifying all persons who may be present that it will be subject to the provisions of

this section) is made to him by not less than five legal voters of a ward for the use of a ward-room for the purpose of holding such meeting, and when he is paid such sum of money as will in his opinion be sufficient to defray the expense of opening, lighting, heating, and closing the ward-room during the time specified in the permit, may issue a permit for the use of such ward-room, which permit may at any time be revoked by the mayor. The superintendent shall specify in the permit the time and purpose of the meeting, and that the meeting will be subject to the following provisions, viz.: Only legal voters in the ward in which such meeting is held, and to whom no objection is made by the majority of such applicants as are present or by the presiding officer of such meeting, shall mark or vote, or remain at such meeting, and the members of the police force present shall keep the peace at such meeting, obey the lawful orders of, and remove such persons as shall be designated by, the majority of such applicants as are present, or after the election of a presiding officer of the meeting, such persons as shall be designated by such presiding officer.

Revocation.

Duties of police
at meetings.

The superintendent shall request the police commissioner to detail police sufficient to enforce the foregoing provisions.

SECT. 5. The superintendent shall have the care, custody, and management of Faneuil hall; shall display the national colors upon Faneuil-hall building on every day, except Sundays, weather permitting; shall, upon vote of the city council approved by the mayor, permit the use of the hall, and shall be paid therefor in advance, for opening, heating, lighting, and closing the hall, unless such vote shall otherwise provide, in the daytime a fee of ten dollars, and in the evening a fee of fifteen dollars, and shall hold all persons signing the application, liable, jointly and severally, for any damage done to the hall at or in connection with the meeting for which the use is granted.

Custody of
Faneuil hall.

SECT. 6. The superintendent shall, in his annual report, include a statement of the kind and amount of city property in the armories; of all buildings belonging to or used by the city, and of the land and appurtenances thereof; of the condition of such buildings and land, and the nature and amount of the expenditures that have been made during the preceding year relative thereto.

Annual report.

CHAPTER 26.

PUBLIC WELFARE DEPARTMENT.

St. 1864, c. 128.

R. L., c. 81.

St. 1913, c. 763.

St. 1921, c. 146.

SECTION 1. The public welfare department shall be under the charge of the overseers of the public welfare, who shall exercise the powers and perform the duties provided by law; shall have charge of the Charity building and temporary home on Chardon street, and the Lodge for Wayfarers on Hawkins street, and may make and enforce all such rules and regulations as they may deem expedient in relation thereto; shall, from time to time, determine what charitable societies shall be permitted to occupy the Charity building, and on what terms and for what length of time, and what proportion of the current expenses of managing, heating, and lighting the same, and of all other expenses, except rent, shall be paid by each; but no such rule or regulation shall be in force, and no society shall be permitted to occupy the building, after the city council has otherwise ordered.

Investments,
receipts and
expenditures.

SECT. 2. The overseers shall cause to be kept a complete set of books, wherein shall be stated in detail the manner in which all funds in their hands are invested and how they are secured, the amounts and dates of all receipts and expenditures, and to whom and from what funds all payments are made; and shall preserve all papers, property, evidences of property, vouchers, and other things intrusted to or deposited with them.

Records.

SECT. 3. The overseers shall cause to be kept another set of books, wherein shall be stated the following facts relative to every person to whom relief or assistance has been given or refused, namely: his or her name; residence for as long a period as can conveniently be ascertained; birthplace; occupation; property or means of support; whether married or single; name of husband or wife, if any; number, names, residences, and occupations of children, if any; names and residences of, and other information in regard to, ancestors, so far as such facts can be conveniently ascertained and may be of importance for determining settlements or other matters; the nature and the amount of the relief or assistance given, and the cause or ground upon which it was given or refused; the source or fund from which it was taken or derived; and all other particulars or information which it is for the public interest to preserve, so that said books may present, in a clear, complete, and detailed

manner, and in such a form that it shall be readily accessible, all information which may be of value to the city or to the Commonwealth in regard to persons to whom relief has been given or refused. The overseers shall also cause to be kept a full and complete record of all applications by women and children for admission to the temporary home, so called, which record shall contain the names of the applicants, the grounds upon which admission is granted or refused, and any other information which it is for the public interest to preserve.

CHAPTER 27.

PUBLIC WORKS DEPARTMENT.

SECTION 1. The department of public works shall be under the charge of the commissioner of public works, who shall be a civil engineer of recognized standing in his profession; shall construct all streets and sewers; shall have Streets and sewers. discretionary power as to the grades, materials and other particulars of construction of streets, sidewalks and sewers; shall have charge of and keep clean and in good condition and repair the streets, all sewer systems under the control of the city and the catch-basins in the streets connected with the sewers; shall keep the streets properly watered; shall remove and dispose of, at the expense of the public works department, all refuse from buildings occupied by the city except those under the control of the school committee; shall remove and dispose of the following classes of refuse from Removal of refuse. dwelling houses and from housekeeping apartments or tenements, when it is placed in yards or areas so as to be easily removed, free of charge to the producers of such refuse and to the owners and occupants of such dwelling houses, apartments and tenements, viz., swill and kitchen garbage, dust and sweepings, ashes from fires used wholly or principally for heating or cooking, waste paper, cardboard, string, packing material sticks, rags, waste leather and rubber, boxes, barrels, broken furniture and other similar light or combustible refuse; tins, bottles, jars, broken glass, broken crockery, bones, shells, waste or broken metals and all other similar heavy or incombustible refuse. But the department shall not be required to take any such refuse from hotels, apartment hotels, restaurants, shops, stores, or from any other building whatever except those first hereinbefore enumerated and except build-

ings occupied by the city. The department shall not so take the refuse of manufacturing or mercantile business, or dead animals, manure, plaster, building materials, earth or stones except from premises occupied by the city, but the department may take and dispose of any refuse upon payment by the producer thereof to the city of such compensation as the commissioner shall from time to time prescribe. The commissioner shall, on the fifteenth day of each month, send to the city auditor detailed bills of all material, tools and machinery furnished by either of the divisions of the department to any other division or for any special work.

Deputy commissioner.

The commissioner may, from time to time, by a writing approved by the mayor and deposited with the city auditor, designate, for such period as may be specified therein, one of his division engineers to be deputy commissioner. The deputy commissioner shall have authority, by virtue of such designation, to approve and sign bills, drafts, pay rolls, and requisitions, and to perform such other routine duties as the commissioner may require, but shall not have authority to make any permanent appointments nor to make contracts, except in the absence of the commissioner, and then only under a separate authorization under section twenty-two of chapter three of these ordinances.

Ferries.

SECT. 2. The commissioner shall have the care and management of the ferries, shall purchase or build all boats, and make the necessary repairs and alterations on the slips, drops, buildings and boats used for ferry purposes; and shall cause all moneys received by him or his subordinates from tolls and other sources to be paid to the city collector on the day following the day of the receipt thereof, but may retain in the possession of the clerk to the deputy commissioner in charge of the division a sum not exceeding one thousand dollars for making change and for other purposes.

Street lighting.

SECT. 3. The commissioner shall have charge of all lamps established by the city council and maintained at the expense of the city, of all lamps set up in parks, parkways or public grounds, and of all lamp-posts, posts or fixtures connected with such lamps, and shall set up and affix lamps in the streets; shall have the care and custody of all city property used or hereafter acquired for the purpose of street lighting, and shall maintain and keep the same in good repair.

SECT. 4. The commissioner shall have the care and manage-^{Bridges.}ment of all bridges which are used as highways, and are in whole or in part under the charge of the city, and of so much of Harvard bridge and Prison Point bridge as are under the charge and control of the city; shall be the commissioner to act with another commissioner for the city of Cambridge, and as such commissioner shall have and exercise all the powers in relation to West Boston bridge, Cambridge bridge and other bridges conferred by chapter 302 of the Acts of the year 1870, chapter 155 of the Acts of the year 1882, chapter 467 of the Acts of the year 1898, and other acts and ordinances relating to the so-called Boston and Cambridge Bridge Commission; shall keep the railings and wearing surface in good order and shall remove all dirt, snow and ice from the sidewalks; shall keep all said bridges, or those parts thereof under his care, and the abutments, guards, draws and wharves thereof, clean and in good condition and repair; shall appoint drawtenders for the draws in bridges of which he has the care, and see that they properly perform their duties, and may remove them for such cause as he shall deem sufficient and shall assign in his order of removal. Each drawtender so appointed shall take charge by night and by day of the draw of which he is drawtender; shall require from the person in charge of a vessel applying to pass through the draw a true statement of the name, extreme width and draught of the vessel; shall determine the order in which vessels may pass through the draw; and may direct the placing of warping-lines, anchors and cables, and the use of any warping apparatus provided by the city; shall cause the draw to be opened for the passage of vessels in accordance with the regulations of the War Department; shall cause the draw to be closed with all possible expedition after a vessel has passed through, not permitting more than one vessel to pass through at one opening of the draw, except that, when the draw is open and the bridge is free from persons desiring to cross, he may, in his discretion, permit other vessels to pass through before causing the draw to be closed; and shall perform such additional duties as said commissioner may require.

SECT. 5. The commissioner shall place and maintain in one or more suitable, conspicuous places, to be selected by him, on each street of the city, one or more signs containing the name of the street; shall require the number of each building on a<sup>Street names;
ward and
building
numbers.</sup>

street which he shall designate as the street number therefor to be affixed to or inscribed on the building by the owner, and may determine the form, size and material of any such number and the place and mode of affixing or inscribing it.

Record of sewer construction.

SECT. 6. The commissioner shall keep a book in which he shall record the date of every order for constructing a sewer, the name of the contractor or builder constructing it, the date of commencing and the date of completing the work, and the cost of the sewer. He shall make and deliver to the city collector all bills for assessments as they become due.

Sewer plans.

SECT. 7. The commissioner shall keep a plan for every existing and every new sewer, showing its depth, breadth, mode of construction and general direction, and shall, from time to time, ascertain and insert on such plans all entries made into the sewers.

Notice of sewer and street work

SECT. 8. The commissioner shall, when about to build a new sewer or repair an old sewer, notify all abutters on that part of the line of said sewer when he proposes to do work, and afford them facilities for entering the sewer; and shall, when about to construct a new street, at least four weeks before beginning work, and, when about to make a new surface of any street, at least two weeks before beginning work, notify all departments and persons authorized to place any structure in such street, and require and see that all departments and persons having any work to be done in the streets so designated shall do all such work before the surface of such street is again prepared for and opened to public travel; and, after the completion of the work then done on such street, shall not, for one year thereafter, permit any department or person to disturb the surface of such street or way within the area of such previous disturbance, except in case of obvious necessity; and shall make a record of the permits issued in such cases in a book to be kept for that purpose.

Permits for street work.

SECT. 9. The commissioner may issue permits to persons having authority in the premises to open, occupy, obstruct and use portions of the streets. Such permits shall specify the time, place, size and use of such opening, occupation or obstruction, and shall be granted upon condition, the terms of which shall be those stated in section twenty-one of chapter three of these ordinances, and upon further conditions as follows:

Conditions.

1. That the restoration of the paving or other surface Restoration of surface. of such streets shall be effected by the city as directed by the commissioner, the work to be done by city employees or by contract or otherwise at his discretion, the standard, type and extent of the repairs necessary to effect such restoration to be determined by him and to be paid for by the person receiving the permit, such payment to be made in advance on the basis of the commissioner's estimate or during the progress or after the completion of the restoration as the commissioner may elect.

2. That the person receiving the permit shall place and Public protection. maintain from the beginning of twilight, through the whole of every night, over or near the place so occupied, opened, obstructed or used, and over or near any dirt, gravel or other material placed in or near such place, a light or lights sufficient to protect travelers from injury; shall place and maintain a safe and convenient way, satisfactory to the commissioner, for the use of foot travelers and for vehicles around or over such place; shall protect such trees as shall be designated by the park department in such manner as said department shall specify; shall provide suitable sanitary accommodations for his employees, and shall deliver the coupon attached to the permit to an officer of the police force of said city on or before the expiration of the time fixed in the permit for completing the work, such coupon to be returned by said officer to the public works department.

3. That the commissioner may detail an inspector, at Inspection. the expense of the person receiving the permit, to supervise said opening, occupation and use, and to see that the back-filling is properly done.

4. That the commissioner may require the person receiving the permit to inclose the place in the streets so opened, occupied or used, with a rail, fence or other guard as specified by the commissioner.

SECT. 10. The commissioner may issue such a permit to Permits to enter drains. competent mechanics for the purpose of entering particular drains into public drains and sewers, on condition the terms of which shall be those stated in section nine of this chapter, and in addition that the person applying for the permit shall make connection of such drain with such sewer only in the manner shown on the back of the permit, and only in the presence of an inspector of the sewer division; shall have on

the ground, when the inspector arrives to see the connection made, any slant, bend or curve to be used in making the connection; shall not cover up any work until inspected by one of such inspectors; shall not lay the drain in the same trench with a water pipe; shall not connect any exhaust from a steam engine, any blow-off from a steam boiler, or any other pipe for delivering steam or hot water, with the drain or sewer. The commissioner shall in each drain permit specify the size, material and mode of construction of the particular drain, and the direction and grade for laying it, but before issuing the permit for entering the drain into a particular public sewer from land upon which a sewer assessment has not been paid, shall be paid for the city an assessment of two cents per square foot for all land in the estate from which the entry is made within one hundred feet of the street or strip of land in which the sewer or particular drain is laid.

Assessments.

Permit to obstruct side-walks.

SECT. 11. The commissioner may issue such a permit to a responsible person for the purpose of raising and lowering goods and merchandise into and from buildings, on condition the terms of which shall be those stated in section twenty-one of chapter three of these ordinances, and in addition that the person applying for the permit shall maintain, during the whole time the work is in progress, good and sufficient barriers across the sidewalk, from the wall of the building to or from which the goods or merchandise are so raised out to the curb-stone or edge of the sidewalk, on each side of said goods or merchandise, sufficient to protect travelers from injury or danger; and shall not encumber the sidewalk for more than fifteen minutes at a time for such work.

Permits for coal holes.

SECT. 12. The commissioner shall issue such a permit to any person authorized by the street commissioners to place a coal hole, vault or coal slide under a street, or a cover thereto, on condition the terms of which shall be those stated in section nine of this chapter, and in addition that the person applying for the permit shall make the underground structure of suitable construction satisfactory to the commissioner, and shall pay such fee as may be prescribed by ordinance; shall make the opening of a coal hole or coal slide circular, and not more than eighteen inches in diameter, and furnish a cover therefor of iron, made with a rough upper surface, and with three or more iron rods or legs at least two feet in length, fitting closely to the side of the opening, and projecting downwards from

the underside of the cover, and so constructed that, while the cover can be lifted perpendicularly, it cannot be tipped or easily removed from the opening.

SECT. 13. The commissioner shall, when authorized thereto by an order of the street commissioners, issue such a permit to a buildingmover actually engaged in the business, for the purpose of moving a building through the streets, on condition the terms of which shall be those stated in section nine of this chapter; provided, that an application for such permit, describing the locations from and to which, and the route over which, the building is to be moved, the length, width and height of the building, and the principal material of its exterior and roof, and accompanied by the written consent of the building commissioner to the placing of the building on the lot proposed, shall be first made to the commissioner, who shall make an examination of the premises and report thereon to the street commissioners for their action. Whenever it appears that the moving of a building will encumber the tracks of any railroad corporation, a public hearing shall be given by the street com-
Permits to move buildings.
Public hearing.
 missioners upon the subject before such permit is authorized.

SECT. 14. The commissioners shall, when authorized thereto by an order of the street commissioners, issue such a permit to a responsible person, for the purpose of laying, maintaining and using wires, railway tracks or rails in the streets, or wires, pipes or conduits under the surface thereof, on condition the terms of which shall be those stated in section nine of this chapter, and in addition that the person applying for the permit shall, whenever requested so to do by the mayor, furnish in his conduits for wires accommodations free of charge for all wires belonging to, or to be used by, the city; shall remove the conduits and wires whenever directed, and not until directed, so to do by an order of the street commissioners approved by the mayor; and shall not disturb or interfere with any wires, pipes, or sewers lawfully laid in such street or connected therewith.
Permits for laying wires, rails, pipes and conduits.

SECT. 15. The commissioner shall, when authorized thereto by an order of the street commissioners, issue such a permit to a responsible person for the purpose of placing and maintaining in the streets poles for the support of wires, on condition the terms of which shall be those stated in section nine of this chapter, and in addition that the person applying for the permit shall keep the poles well painted and in good condition,
Permits for poles.

to the satisfaction of the commissioner; shall place the wires on the poles not less than twenty-one feet from the ground; shall keep the name of the person owning the pole distinctly painted on the crossbars used and occupied by him on the pole, and also on the pole at a point not less than six feet nor more than eight feet from the ground; shall allow the departments of the city the exclusive use of the lowest crossbar of each pole, free of all charge, for the purpose of placing wires thereon; shall not suffer or permit any other person to place or keep wires on the poles, or upon the fixtures thereto affixed, without permission being first obtained in writing from the street commissioners; shall not remove any pole erected under the order until, and shall remove any pole when, directed by the street commissioners so to do; and that on the violation of any term of these conditions the commissioner shall remove the poles at the expense of the person owning them.

Bonds required
before delivery
of permits.

SECT. 16. The commissioner shall not deliver any such permit to any person for the applicant therefor until he has received from such person a certificate that a copy of the permit entered in a book kept for the purpose, is a correct copy of the permit he receives, and the applicant, unless an employee of the city applying for a permit for public work, has given a bond, in the case of permits under sections nine, ten, eleven and twelve of this chapter, of one thousand dollars, under section thirteen of this chapter, of three thousand dollars, and under sections fourteen and fifteen of this chapter, of twenty thousand dollars, each bond, with one or more sureties satisfactory to the commissioner, conditioned upon the faithful observance of the conditions and specifications of each and every permit thereafter issued on his application by the commissioner; and the commissioner may at any time require a new bond, which shall be considered a strengthening bond, unless the sureties on the former bond or bonds are expressly released from their liability by vote of the city council. No bond shall be required of any person to open a public street for the purpose of planting a tree therein if such person has been duly authorized by the proper municipal authorities to plant trees in such street.

Permits pro-
hibited.

SECT. 17. The commissioner shall not issue any such permit to a person who has within twelve months previous to his application violated or failed to observe the conditions or specifications of any such permit.

SECT. 18. Every owner of an estate hereafter maintaining any cellar, vault, coal hole or other excavation under the part of the street which is adjacent to, or a part of, his estate, shall do so only on condition that such maintenance shall be considered as an agreement on his part to hold the city harmless from any claims for damage to himself or the occupants of such estate resulting from gas, sewage or water leaking into such excavation or upon such estate; and every such owner and every person maintaining a post, pole or other structure in a street, or a wire, pipe, conduit or other structure under a street, shall do so only on condition that such maintenance shall be considered as an agreement on his part with the city to keep the same and the covers thereof in good repair and condition at all times during his ownership and to indemnify and save harmless the city against any and all damages, costs, expenses or compensation which it may sustain or be required to pay, by reason of such excavation or structure being under or in the street, or being out of repair during his ownership, or by reason of any cover of the same being out of repair or unfastened during his ownership.

SECT. 19. The commissioner shall require every person who maintains an entrance on a level with or below, or a flight of steps descending immediately from or near, the line of the street, which is not otherwise safely guarded to the satisfaction of the commissioner, to enclose such entrance or steps with a permanent iron railing on each side at least three feet high from the top of the sidewalk or pavement, and to provide the same with a gate opening inwardly, or with two iron chains across the entrance way, one near the top and the other half way from the ground to the top of the railing, and to keep such gates or chains closed during the night, unless the entrance or steps are sufficiently lighted to prevent accident.

SECT. 20. The commissioner shall close and fill up, at the expense of the owner of the premises abutting on a sidewalk, any excavation under such sidewalk, whether constructed under a permit or not, which has not been closed and filled up within five days after the street commissioners have ordered the owner so to do.

SECT. 21. The commissioner shall keep a record of the notices of defects in streets sent to him, with the name of the person giving the notice and the time when given, and shall without delay cause the locality of the alleged defect to be

examined, and, if the defect is of such a character as to endanger the safety of public travel, shall do whatever may be necessary to protect the public from injury by the defect, and shall cause it to be immediately repaired.

Water supply.

SECT. 22. The commissioner shall have the care and control of all property acquired or held by the city for the purposes of its water supply; shall maintain the same in good order and condition; shall use and operate the same and furnish all supplies required therefor; shall take all measures necessary to protect and preserve the purity of the water; shall purchase, lay, maintain and test all meters, pipes and other fixtures and appliances necessary for supplying water to the inhabitants of the city, including the placing of drinking fountains and supplying the same with cold water; shall, as often at least as once in each year, cause the premises of every person who takes water to be visited and the water fixtures therein to be examined by a skilled inspector; shall shut the water off from, and let it on to, any particular service when notified by the city collector that the water rate therefor has not, or has, been paid, and at such other times as he deems necessary; provided, however, that if it is represented to the department that the life of any tenant would be endangered by shutting off the water, and if a physician designated by the city so reports, the water shall not be shut off while such condition exists; shall exercise a constant supervision over the use of water, and, with the approval of the mayor, shall, from time to time, determine and establish the rates for the use of water.

Water bills.

SECT. 23. The commissioner shall make contracts and issue bills for the use of water, and send the bills to the city collector; shall make abatements of charges for water where improperly assessed; shall provide that all bills for water by annual rates shall be due in advance on the first day of January of each year and be paid within sixty days thereafter; that all bills for fractional parts of a year or for specific supplies shall be due when the water is let on or delivered and be paid within ten days thereafter; that all bills for water furnished and measured by meter shall never be less than eight dollars and eighty cents per year, shall be due on the first day of January, April, July and October, and shall be paid within ten days thereafter; shall, if the water is paid for by annual rates and two or more dwelling houses are valued together for the assessment of taxes, make separate valuations of each; and shall, when a portion only of an estate is chargeable for the water, make a separate

valuation of such portion; and on such valuations the amounts to be paid, if based on values, shall be assessed.

SECT. 24. The commissioner shall designate one of his ^{Water income.} subordinates to be the head of the water income division, who shall receive all money deposited on account of main, service, fire, elevator, motor and other pipes and the laying thereof and for repair work; shall give a receipt in behalf of the city therefor; shall pay, from the money so received, the amount found by him to be due the person paying any such money, as excess over the amount due the city; and shall, on or before the fifth day of every month, pay over the money in his possession due the city, and account for all money so received by him since the last accounting, as provided in section eighteen of chapter three of these ordinances.

SECT. 25. The commissioner shall, from time to time, as ^{Water meters.} he deems necessary, apply, remove and test water meters and maintain the same in good condition; shall record, in a book kept for the purpose, a statement of the style, size, number of each meter, date when purchased, location, date when set, reading at such date, date when taken out, the reason therefor, the reading at such date, a detailed statement of test and percentage of errors shown, and the reading and date when reset; also a description of all defects and repairs of such meters.

SECT. 26. The commissioner, whenever the water has been ^{Shutting off} shut off from any premises because the bill for water has not ^{water.} been paid and there is a change in the ownership of the premises, may let the water on again without waiting for the payment of the amount due from the former owner. In case of contracts for specific supplies he shall shut the water off as soon as the contract has been carried out.

SECT. 27. The commissioner shall keep suitable books, in ^{Record of} which shall be entered the names of all persons who take ^{water takers.} water, the kind of building in which it is taken, the name of the street and the number thereon, the nature of the use, the number of taps, and the rate assessed.

SECT. 28. The commissioner shall cause the following regulations to be printed on every bill for water, which regulations shall constitute a part of the contract with every taker of water furnished by the city:—

Regulations.

1. Every water taker shall pay the rates for water furnished on his application within the time and at the place specified in

the bills therefor; shall, at his own expense, keep the service pipes within his premises, including any area or vault beneath the sidewalk, in good order and repair and protected from frost; shall not allow the water to leak away or run to waste; shall not — unless he pays the rates established therefor or takes water by meter rates — use water from a hose; shall not use water from a hose in any case, except during such days and hours and in such manner as the commissioner of public works may from time to time specify; shall not make any change in the pipes or water fixtures under the street or within his premises, unless such change is approved by the commissioner; shall not conceal the purpose for which the water is used; shall allow the commissioner and persons authorized by him to enter the premises supplied with water, examine the fixtures, and ascertain the quantity of water used, the manner of use, and whether there is unnecessary waste; and shall indemnify the city for all damages it may sustain or be required to pay in consequence of any injury resulting from any violation of these regulations by the water taker.

2. Every water taker must stop the use of water for any purpose when required to do so by the commissioner of public works and must guard against collapse of a boiler and other injuries liable to result from want of water, as the water is liable to be shut off at any time without notice.

3. No water taker shall, except in accordance with a written permit from the commissioner of public works or in case of fire in the neighborhood, allow water to be taken from his premises, or use water for any purpose other than those for which he pays, or open any hydrant attached to the water pipes of the city.

4. No water taker shall demand or be entitled to any abatement of his water rates for any year on account of the premises being vacated, unless they are vacated before the first day of January and notice thereof is given to the commissioner of public works before the first day of February of such year; nor shall any water taker demand or be entitled to any abatement of rates, compensation, or damage on account of the shutting off, or the stopping of the use, of water for any cause.

St. 1907, c. 524.
St. 1909, c. 177

5. The commissioner of public works shall equip with water meters all new services installed, and shall also, as provided by statute, annually equip with water meters at least five per cent of the water services which were unmetered on

December thirty-first, 1907; shall, if a water taker refuses to allow a water meter to be placed on his premises, cause the water to be shut off from the same; may, without notice, cause the water to be shut off from any premises or require the use of water for any purpose designated by him to be stopped; and may, if any water taker, whether supplied through an independent service pipe or a service pipe used in common with another, violates any of these regulations, cause the water to be shut off from all premises supplied by such pipe until satisfied that the regulations will be observed and that all amounts due for water have been paid to the city collector, together with such further sum, not exceeding ten dollars, as the collector may require.

SECT. 29. The commissioner shall have full charge of all ^{Engineering work.} engineering work of every nature and description upon and connected with all public works, unless otherwise provided by statute, and of the laying out and construction of all public improvements except the laying out, locating anew, altering, widening and discontinuing of highways; and shall make such surveys, plans, estimates, statements, descriptions and specifications as are required or requested for the carrying out of any public work by any official or board in charge of any department of the city in the discharge of the duties of such department or by the mayor, city council or any committee thereof.

SECT. 30. The commissioner shall, by himself or by his ^{Inspection and measurement of public work.} duly authorized agents, inspect and measure all public work done under his direction by any department by contract or otherwise, and the city auditor, in case any bill or estimate for such work is presented to him for allowance, may require from the commissioner a certificate of such bill or estimate stating whether the materials have been furnished or the work done in accordance with proper engineering standards or in accordance with the terms of the contract for such work.

SECT. 31. The commissioner shall have authority to order ^{Discontinuance of public work.} any public work, whether done by a department or under contract or otherwise, to be discontinued, reconstructed or removed, whenever in his opinion such work fails in any manner to comply with or fulfill the terms, conditions, specifications and requirements of any such contract or agreement, or fails in his opinion to conform with proper engineering standards.

Charge against
appropriations.

SECT. 32. Any expense incurred by the commissioner in carrying out any of the provisions of this chapter, except as provided for by the appropriation for the department of public works, shall be charged to the several appropriations under which the works are authorized or paid for, upon requisition of the commissioner.

Division
engineers.

SECT. 33. The commissioner may create such divisions of the department as he may find necessary for its proper conduct. Each division of the department created or changed by the commissioner, with the exception of the water income division, shall be in charge of a civil engineer of recognized standing in his profession, who is an expert in the duties which may devolve upon him, such division engineer to be appointed without regard to party affiliations or residence at the time of appointment. Each head of a division shall devote his whole time to the work and shall receive the annual salary established by ordinance with no other fees or emoluments.

Qualifications.

Certificate of
qualifications
of engineers.

SECT. 34. In appointing an engineer to take charge of a division of the department the commissioner shall certify that he is a civil engineer of recognized standing in the profession, that in the commissioner's opinion he is an expert in the work which will devolve upon him, that he is a person specially fitted by education, training or experience to perform the duties which may devolve upon him, and that the appointment is made solely in the interest of the city, such certificate to be filed with the city clerk and to be open to public inspection.

Purchases by
supply department.

SECT. 35. All materials and supplies for the department of public works shall be purchased by the supply department on requisition of the commissioner.

Annual report.

SECT. 36. The commissioner shall, in his annual report, include a statement of the repairs and expenditures on each street and on each bridge under his charge; of the number of times each draw of a bridge has been opened for the passage of vessels; of the number of vessels laden with cargo that have passed through each draw; of the condition of each ferryboat, slip, drop, tank, and building used for ferry purposes, and of the repairs and expenditures on each; of the number of persons and teams of different classes that have passed over each ferry during the year; of the number of water takers and the purposes for which the water is taken, the number and kind of

meters installed during the previous municipal year, the number and kind of meters in use, the number of cases where the water has been shut off, and the number and amount of abatements which have been made during the preceding municipal year.

CHAPTER 28.

REGISTRY DEPARTMENT.

SECTION 1. The registry department shall be under the charge of the city registrar, who shall exercise the powers and perform the duties provided by statute; shall receive or obtain, record and index all facts relating to, and perform all the duties required of city clerks concerning, births, marriages and deaths in the city of Boston, and shall have the custody of all records, books, and papers belonging to the city, relating to births, marriages and deaths. St. 1892, c. 314, G. L., c. 46.

SECT. 2. The city registrar shall complete, as far as practicable, the record of births, marriages and deaths prior to the year 1849, in the town or city of Boston, or in any city or town now constituting a portion of the city of Boston; shall receive and collect documents relating thereto; shall make copies of all such documents as he may deem advisable; and may print and distribute such special publications, relating to the early history of Boston and such other cities and towns, as may be authorized by the city council, but shall not sell copies of such publications. Ancient records.

SECT. 3. The official seal of the city registrar shall be in form as described in chapter four of the Ordinances of the year nineteen hundred and two. Seal. St. 1898, c. 389, sec. 1.

SECT. 4. The city registrar shall, in his annual report, include a statement of the number of births, of marriages and of deaths, recorded in his office during the previous year. Annual report.

CHAPTER 29.

SCHOOLHOUSE DEPARTMENT.

SECTION 1. The schoolhouse department shall be under the charge of a board of three commissioners, who shall exercise the powers and perform the duties provided by statute. St. 1901, c. 473.

CHAPTER 30.

SINKING FUNDS DEPARTMENT.

G. L., c. 41.

SECTION 1. The sinking funds department shall be under the charge of a board of six commissioners, who shall exercise the powers and perform the duties provided by statute.

SECT. 2. Whenever the amount of any sinking fund exceeds the entire amount of the debt for the payment of which it was established, the commissioners shall use the surplus for the purchase and cancellation of any outstanding bonds of the city; and whenever the amount of any sinking fund is greater than is required with its accumulations to meet its debt at maturity the surplus of such amount may be used by the commissioners to obtain and cancel any part of such debt.

St. 1923, c. 303.
sec. 4.

The proceeds of all sales of real estate, other than school lands, shall be applied by the commissioners, to the reduction or payment of the indebtedness incurred in acquiring such real estate, or if there is no such indebtedness outstanding said proceeds may be used by vote of the city council for any purpose for which the city is authorized to incur debt for a period of ten years or more.

Sinking-fund
appropriation
estimates.

SECT. 3. The commissioners shall, in their annual estimates, require for every sinking fund an appropriation sufficient, with the accumulations of such fund, to meet at maturity the debt for the payment of which it was created, requiring annual appropriations of not less than the following percentages of the amount of the debts, namely: for debts payable in five years, twenty-three and one-quarter per cent; in ten years, eight per cent; in twenty years, three and one-half per cent; in thirty years, two per cent; and in forty years, one and one-quarter per cent; provided, however, that the commissioners shall, when other payments have been applied, or transferred, to the sinking fund of any debt, require for that sinking fund an appropriation less by the amount of such payments than they would otherwise have required.

Payment to
treasurer.

SECT. 4. The commissioners shall, when a debt of the city becomes due, pay over to the city treasurer so much of the funds which they may hold as a sinking fund for such debt as may be required for the payment of such debt.

CHAPTER 31.

SOLDIERS' RELIEF DEPARTMENT.

SECTION 1. The soldiers' relief department shall be under G. L. c. 115. the charge of the soldiers' relief commissioner, who shall exercise the powers and perform the duties provided by statute. The commissioner may appoint, subject to the approval of the mayor, two deputy commissioners who shall have such power and perform such duties as the commissioner may determine.

CHAPTER 32.

STATISTICS DEPARTMENT.

SECTION 1. The statistics department shall be under the charge of a board of five trustees, who shall collect, compile, and publish such statistics relating to the city of Boston, and such statistics of other cities for purposes of comparison, as they may deem of public importance. The board shall collect, compile and furnish such other statistical information as may be required from time to time by the mayor or by the city council. The chairman of the board shall be designated by the mayor.

SECT. 2. The board shall publish the *City Record* once a week, and shall distribute and sell it under the direction of the mayor. The *City Record* shall contain all matters required by statute to be published therein and such other matters as the mayor may direct. The price for single copies shall be ten cents, and the yearly subscription price shall be two dollars, payable in advance. The price to be paid by departments for advertising therein shall be fixed by the city auditor with the approval of the mayor. The receipts shall be used to defray the expense of said publication.

a St. 1909, c. 486,
secs. 29, 30.

CHAPTER 33.

STREET LAYING OUT DEPARTMENT.

SECTION 1. The street laying out department shall be under the charge of a board of three commissioners, who shall exercise the powers and perform the duties provided by statute; shall have the care and maintenance of all land and buildings belong-

Care of certain
lands, and build-
ings.

Sale of lands or buildings. ing to the city and not used for specific purposes, and shall keep a record thereof; may, with the approval of the mayor, let such land for a term not exceeding one year; and, when authorized by the city council, with the approval of the mayor, may sell any land or buildings in their charge.

NOTE.— Powers and duties, see statutes, viz.:

Creation, St. 1870, c. 337. Open spaces and playgrounds, St. 1892, c. 293. Powers of board of survey transferred, St. 1895, c. 449, sec. 23; St. 1896, c. 204. Sewers, St. 1897, c. 426; St. 1912, c. 371. Highways, St. 1906, c. 393; St. 1909, c. 486, sec. 31; St. 1912, c. 661; St. 1913, c. 536; St. 1913, c. 554. Street stands, St. 1907, c. 584; St. 1909, c. 329. Traffic rules, St. 1908, c. 447; St. 1913, c. 432. Market limits, St. 1908, c. 519. Permits, street uses, St. 1909, c. 486, sec. 28; St. 1911, c. 509. Abatement of taxes, St. 1909, c. 490, Part I., sec. 76. Garages, St. 1913, c. 577. Signs, St. 1913, c. 680.

CHAPTER 34.

SUPPLY DEPARTMENT.

Supplies for any department. SECTION 1. The supply department shall be under the charge of the superintendent of supplies, who shall, upon requisition in writing, signed by the head of any department, supply materials, apparatus and other supplies required by such department, except furniture and those supplied by the superintendent of printing.

Requisitions. SECT. 2. Every officer in charge of a department requiring materials, apparatus and other supplies, except furniture and those supplied by the superintendent of printing, shall obtain the same of the superintendent of supplies by means of a requisition therefor on blanks to be prepared by the superintendent.

Accounts. SECT. 3. The superintendent shall keep proper books of account, and when satisfied of the legality of any requisition shall at once comply with it and make proper entries on his book. He shall require suitable evidence that the materials and supplies furnished are accepted by the officer issuing the requisition.

Annual report. SECT. 4. The superintendent shall, in his annual report, include a statement of the cost of all supplies furnished each department or officer.

CHAPTER 35.

TRANSIT DEPARTMENT.

Sp. St. 1918, c. 185. SECTION 1. The transit department shall be under the charge of a board of three commissioners, appointed by the

mayor, for the term of one year each, one of whom he shall designate as chairman. The board shall appoint a secretary, engineers, subordinates and employees, define their powers and duties, and fix the amount of their compensation.

SECT. 2. The board shall exercise the powers and perform the duties formerly exercised and performed by the Boston transit commission, as defined by chapter 185 of the special acts of the year 1918.

CHAPTER 36.

TREASURY DEPARTMENT.

SECTION 1. The treasury department shall be under the charge of the city treasurer, who shall require from his subordinates, for the faithful performance of their respective duties and for the safe custody of the money and other property intrusted to them, bonds to himself as obligee, with sureties satisfactory to the mayor, with penal sums as follows, namely: from the cashier, not less than twenty thousand dollars; from the tellers and paymasters, not less than ten thousand dollars each, and from all other permanent employees not less than five thousand dollars; shall receive, receipt for, and have the care and custody of, the current funds of the city from the time the same shall come into his possession, and also of all money, property, and securities which may come into his possession by virtue of any statute or ordinance, or as a gift, devise, bequest, or deposit; may deposit any portion of such current funds in such national bank or banks established in Boston, or such trust company or companies organized under the laws of Massachusetts and doing a banking business in Boston, and on such conditions and rates of interest, as he shall deem best, subject to the approval of the mayor, provided, however, that the amount of such deposit in any bank or trust company shall not exceed sixty per cent. of its paid-up capital; shall, with the mayor and city auditor, sign all bonds and certificates of indebtedness issued by the city; shall preserve all bids for loans, and papers relating thereto; and shall, if elected, serve as treasurer of the board of sinking-funds commissioners.

St. 1854, c. 448,
sec. 42.
St. 1875, c. 176,
sec. 1.

Bonds of
subordinates.

Custody of
current funds.

Deposit of
funds.

Signing bonds.
Treasurer of
sinking-funds
commissioners.

SECT. 2. The treasurer shall pay all drafts, checks and other orders directed to him from the auditing department, as provided by ordinance, for the payment of bills and demands against the city; shall on presentation pay every execution

Payments of
drafts, checks,
and orders.

Payment of
executions.

against the city, when duly certified as correct by the law department, even if the appropriation to which the execution is chargeable is not sufficient to meet it; shall pay on presentation when due all bonds issued by the city and the interest on the same; shall cancel all bonds and coupons and daily deliver to the city auditor the bonds and executions paid during the day; and shall on the tenth, twentieth, and last days of each month deliver to the auditor the coupons paid during the month, and a statement of the total amount paid for interest to each date.

Transmit to
auditor paid
coupons.

Payments to
sinking-funds
commissioners.

SECT. 3. The treasurer shall pay over to the sinking-funds commissioners all money received by him from payments on account of the principal sum secured by any bond or note, or for interest and exchange on debts, or from assessments laid or to be laid on account of betterments from public improvements the expenses of which were paid for by the proceeds of loans, and all sums received from the sale or lease of city property purchased out of the proceeds of loans, except where provision to the contrary is made by statute or ordinance, to be by them credited to the sinking funds established for such loans, or in case of serial loans to be held by them toward paying the installments as they fall due.

See c. 30, sec. 2.

SECT. 4. The treasurer, unless the donors have otherwise directed, shall receive all properties given, devised or bequeathed to, or deposited with, the city for any specific purpose, and shall use the same, or the income thereof, as designated in the gift, devise, bequest or deposit. If the income only is to be used, he shall hold the properties as permanent funds. He shall invest and keep invested the said permanent funds in bonds, notes or scrip of the United States or of the commonwealth or of any city or town within the commonwealth, or in mortgage notes secured in each case by a first mortgage on real estate used for human habitation and not in excess of fifty per cent of the assessed valuation of such real estate. For the purpose of investment and reinvestment he shall have power from time to time in his discretion to sell or exchange any of the securities of which any of the said permanent funds consist, but all purchases, exchanges and sales shall be with the written approval of the mayor.

Police chari-
table fund.

SECT. 5. The treasurer shall use the income of the police charitable fund for the relief of persons in necessitous circumstances who shall be found by the police commissioner to have

been honorably discharged from the police force by reason of sickness, age or other disability, or to be the widows or orphans of police officers who have died while in the service of the city; and may monthly pay to such persons the amount of such income determined and allowed by the commissioner, with the approval of the mayor, on a monthly pay-roll sent to the city auditor.

SECT. 6. The treasurer shall use and apply as the city council may direct all property, money, and securities in his care and custody at the close of each financial year for the application of which no other provision has been made. Balance at end of financial year.

SECT. 7. The treasurer may make payments to school instructors, school janitors, policemen, witnesses, jurors, and persons employed in and about the various departments and institutions of the city and of the county of Suffolk, in such of the public buildings in the different sections of the city, or upon such public works, as he may designate, and as will best facilitate such payments and prevent the loss of time by the persons receiving them. Payments to employees and others.

SECT. 8. The treasurer shall, on or before the tenth day of each month, render to the mayor a statement of the receipts and payments of his department for the preceding month and a summary of the like items for the current financial year up to the close of the preceding month. Monthly reports.

CHAPTER 37.

WEIGHTS AND MEASURES DEPARTMENT.

SECTION 1. The weights and measures department shall be under the charge of the sealer of weights and measures. There shall be twelve deputy sealers; and the salary paid to the sealer and to the deputies shall be full compensation for their services. St. 1817, c. 50.
G. L., c. 98,
sec. 34.
St. 1909, c. 382.
St. 1914, c. 452.

SECT. 2. The sealer shall have direction of the deputy sealers; shall keep regular books showing the work done in the department and the fees earned; and shall each week pay over to the collector all fees received by or paid to him. The deputy sealers shall perform the work assigned by the sealer, and shall daily pay over to him all fees received by them.

CHAPTER 38.

REGULATIONS AFFECTING CERTAIN TRADES.

Junk, Old Metals and Second-Hand Articles.

Licenses.
G. L., c. 140.
sec. 54.

SECTION 1. The police commissioner for the city of Boston may license suitable persons to be collectors of, or dealers in and keepers of shops for the purchase, sale, or barter of, junk, old metals, or second-hand articles.

Inspection.

SECT. 2. Every such shop-keeper shall keep a book, in which shall be written, at the time of every purchase of any such article, a description thereof, and the name, age, and residence of the person from whom, and the day and hour when, such purchase was made; and the shop of such shop-keeper, and all articles of merchandise therein, and such book shall at all times be open to the inspection of the mayor, the city council, the police commissioner, or of any person by them respectively authorized to make such inspection.

Signs.

SECT. 3. Every such shop-keeper shall put in some suitable and conspicuous place on his shop a sign having his name and occupation legibly inscribed thereon in large letters.

Sales restricted.

SECT. 4. No such shop-keeper holding a license from the police commissioner as a dealer in second-hand articles shall permit to be sold any article purchased or received by him until at least thirty days after its purchase or receipt. Nor shall any dealer in, or keeper of a shop for the purchase, sale, or barter of, junk or old metals, permit to be sold any article purchased or received by him until at least one week after its purchase or receipt.

Weighing, Measurement and Sale of Certain Articles.

Public scales.

SECT. 5. The city council shall from time to time cause a sufficient number of public scales for the weighing of hay and of other articles to be erected and furnished with decimal weights, which shall be used in all cases.

Superintendents of scales.
c. 2, sec. 2,
par. 2.

SECT. 6. The superintendents of public scales shall personally attend on every day at the scales assigned to them respectively, Sundays and legal holidays excepted, from sunrise to sunset during the months of December, January, and February, and from seven o'clock in the forenoon until six o'clock in the afternoon during the remainder of the year; and they shall deliver to the driver of every load of hay or straw

weighed by them a certificate, specifying the name of the owner or driver of the load, the town from which it has been driven, the weight and tare thereof, the amount of fees received, and the date when the certificate is given. They shall also keep in books furnished by the city clerk an account of all hay and other articles weighed at the scales to which they are assigned as aforesaid, which accounts shall specify all the items required to be specified as aforesaid in the certificates, and such books shall always be open to the inspection of the city council, and, when filled, shall be deposited with the city clerk. Each superintendent may employ, at his own expense, an assistant, who shall be a sworn weigher and who shall perform the duties of the superintendent in his absence.

SECT. 7. The weighers of vessels and ballast shall keep regular books showing the work done, the reports thereon, the fees earned, and the dates of all certificates.

Weighers of
vessels and
ballast, books
and accounts.
G. L., c. 102,
sec. 6.
Office hours of
weighers.

SECT. 8. The office of the weighers shall be open from sunrise to sunset on every day except Sundays and legal holidays, but may be closed during the months of April, May, June, July, August and September, from seven to eight o'clock in the forenoon, and during the other months from eight to nine o'clock in the forenoon, and through the whole year from one to two o'clock in the afternoon.

G. L., c. 102,
sec. 14.

SECT. 9. The master of every vessel that has stone, sand, gravel, or ballast for sale by weight, to be delivered within the city, shall, on arrival, report in person at the office of the weighers, and shall produce for examination a certificate of the marks and measurements of his vessel whenever a weigher so demands. One of the weighers shall go on board every such vessel, and inspect its marks both before and after the delivery of such material, and inspect and weigh such material; and the person having charge of the vessel shall before such delivery, if so required by the weigher, pump out all the water in the vessel, and trim it so as to make it swim at equal marks at stem and stern, and shall not deliver any of such material until inspected; but this section shall not apply to sand sold for building purposes unless the purchasers request an inspection. Whoever violates any provision of this section shall be punished by a fine not exceeding one hundred dollars for each offence.

Masters of
vessels to report
to weigher.

Inspection of
vessels.

SECT. 10. When a weigher has inspected and weighed any stone, sand, gravel, or ballast in any vessel, he shall forthwith file a report in the office of the weigher, showing the name of the

Reports and
certificates.

vessel, the vendor, the kind of material, the weight, and deduction of light-water marks, and the amount of fees received, and shall give a certificate, containing the same matters, to the vendor or owner, but such certificate shall not be given for any material sold out below light-water marks.

Vessel not subject to second weighing.

SECT. 11. No vessel which has once been weighed and marked according to law by a weigher of the city of Boston shall be subject to charge for a second weighing or marking, unless it appears that her former weight or marks are incorrect or have been changed; but every vessel which has been so weighed and marked shall be subject to the examination and inspection of every weigher, without charge, for the purpose of ascertaining whether the weights are correct or have been altered.

Duties of surveyors of marble, etc.

G. L., c. 94, sec. 269.

Surveyors to give certificate to owner or vendor.

SECT. 12. The surveyors of marble, soapstone, and free-stone shall survey and measure all of such materials brought into the city and offered for sale; shall ascertain the number of cubic feet in each block, and the number of square feet in each slab thereof; shall legibly mark thereon the measurement and the initials of the officer making the survey; shall give to the owner or vendor of any of such materials surveyed, a certificate specifying the name of such owner or vendor, the name of the place from which the material surveyed was brought, the measurement of the material, the amount of fees received, and the date of the survey.

Fees.

G. L., c. 94, sec. 236.

SECT. 13. The fees for weighing on public hay-scales shall be as follows: One-half of a cent for every hundred pounds of coal, pig-iron, stone, sand, produce, provisions, or ice, and one cent for every hundred pounds of hay, straw, or other articles; but the fee for weighing an article other than hay or straw shall in no case be less than ten cents, and no single fee shall exceed one dollar, and no fee shall be taken for weighing done on account of the city or for weighing the cart or vehicle containing the article to be weighed or for any other tare. The weighers shall deduct from the fees the necessary expenses incurred, retain four-fifths of the remainder to their own use, and pay over the balance to the city collector.

SECT. 14. The fees for gauging liquid measures shall be regulated by the sealer of weights and measures.

SECT. 15. The fees for measurers of wood and bark shall be ^{G. L., c. 94,} ten cents for each cord measured, to be paid to the measurer ^{sec. 300.} by the owner or vendor.

SECT. 16. The fees for measuring wheat, corn and other ^{G. L., c. 94,} grain shall be three-quarters of a cent for each bushel, to be ^{sec. 221.} paid to the measurer by the owner or vendor.

SECT. 17. The surveyors of marble, soapstone, and free-stone may charge and receive as fees for surveying such materials one and one-half cents for each cubic foot and three-quarters of a cent for each square foot surveyed, to be paid to the surveyor by the owner or vendor.

SECT. 18. Inspectors of petroleum and its products shall ^{G. L., c. 148,} be paid as fees for inspecting a sample, or a lot of ten or less ^{sec. 20.} barrels of such oil or its products, fifty cents, and for inspecting a lot of more than ten barrels, five cents for each barrel inspected, each sample and barrel to be placed in position and open for inspection; such fees to be paid to the inspector by the owner or vendor.

SECT. 19. The fee for inspecting the weight of stone, sand, gravel, or ballast of any kind shall be five cents for every ton, which fee in all cases shall be paid by the vendor and repaid by the vendee.

SECT. 20. All fees not herein specially enumerated shall be as provided by law.

Minors' Licenses.

SECT. 21. No minor between the ages of sixteen and twenty- ^{G. L., c. 101,} one years shall, in any street or public place of the city, work ^{sec. 19.} as a bootblack, or sell or expose for sale any books, newspapers, pamphlets, fuel, fruits, provisions, ice, live animals, brooms, agricultural implements, hand tools used in making boots and shoes, agricultural products of the United States, or the product of his own labor or the labor of his family, unless he has a license therefor granted by the mayor and city council.

SECT. 22. The city clerk shall receive applications of parents ^{Issue of license.} or guardians of minors, or of responsible citizens of Boston, for licenses for minors, and shall, when such a license is granted, issue the license and a badge to such minor. Every such license shall be issued and accepted on condition that the minor shall comply with the terms of the following section, which shall be printed in the license.

Conditions.

SECT. 23. The minor shall conform to the statutes and ordinances; shall surrender his license and badge to the city clerk when notified that his license has been revoked; shall not transfer or lend his license or badge, or furnish any unlicensed minor with newspapers or other articles to sell; shall not sell newspapers in or on any part of a street other than the sidewalk, or in or on a street car without the permission of the company operating such car; shall not at any time, while engaged in working as a bootblack or selling articles in public places, congregate with other persons, or make any unnecessary noise, or in any way disturb or annoy persons as they pass, or obstruct free passage on any sidewalk, crosswalk or entrance to any public place, or occupy any stand with any other person, or allow any unlicensed minor to assist or accompany him, or allow idle persons to assemble or congregate around him or around any stand occupied by him, or so work or sell in any other place than that specified in his license when a place is so specified, or at any time while so working or selling fail to wear conspicuously in sight the badge furnished to him by the city clerk, or fail to exhibit his license to any police or other officer of the city if requested by him so to do. Any minor who violates any of these provisions shall be deprived of his license and badge, and be subject to a fine.

SECT. 24. No female minor sixteen years of age or over shall engage in the trade of bootblacking, and no person shall employ any such female minor in such trade.

Transient Vendors.

G. L., c. 101,
sec. 5.

SECT. 25. Every transient vendor, whether principal or agent, authorized by state license to do business in this commonwealth, before making any sales of goods, wares and merchandise in the city of Boston, shall make application for a local license to the city clerk stating the names, residences and places of business of the owners or parties in whose interest said business is conducted, and shall at the same time file with the city clerk a true statement, under oath, of the average quantity and value of the stock of goods, wares, and merchandise kept or intended to be kept or exposed by him for sale. The city clerk shall submit said statement to the assessors who shall forthwith make an examination and valuation of such goods, wares and merchandise and transmit a certificate thereof to the city clerk.

SECT. 26. Upon the payment of a fee equivalent to the taxes assessable under the last preceding tax levy upon an amount of property equal to the valuation certified by the assessors as provided for in section twenty-five of this chapter, the city clerk shall issue to the transient vendor a license authorizing the sale of such goods, wares and merchandise within the city of Boston. Such license shall remain in force so long as the licensee shall continuously keep and expose for sale in the city of Boston such stock of goods, wares and merchandise, but not later than the first day of April following its date of issuance. Every transient vendor licensed under this ordinance shall also execute a bond to the city of Boston in the sum of \$500 with two sufficient sureties, conditioned for faithful observance of this ordinance.

SECT. 27. Every transient vendor who is granted a license under the provisions of this chapter shall exhibit the same at all times, while in force, in some conspicuous part of the place of business for which it is issued.

SECT. 28. The term "transient vendor" for the purposes of this ordinance shall be the same as defined in sections one and two of chapter one hundred and one of the General Laws of Massachusetts and acts in amendment thereof and additions thereto.

SECT. 29. Any person, association or corporation who shall engage in the business of a transient vendor, as herein defined, without having secured a license for that purpose as provided in this chapter, or who neglects or refuses to file the statement described in section twenty-five of this chapter, or who makes a false or fraudulent representation in said statement, or who, having secured such license, shall thereafter fail to pay the sum required herein, shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of twenty dollars for each day during which such goods, wares or merchandise are kept or exposed for sale.

CHAPTER 39.

PROHIBITIONS AND PENALTIES.

Health.

SECTION 1. No person shall throw into the harbor or any of the waters surrounding the city within a line drawn from Point Allerton to Nahant, any entrails or refuse parts of fish,

Fish to be cleansed before sale, and kept in covered stalls, etc. or any decayed fish; nor shall any person have in his possession with intent to sell, fish of any kind, except flounders, smelts, and other small fish, salmon and shad, until the same have been cleansed of their entrails and other refuse parts, or fish of any kind unless they are kept in covered stalls or fish-boxes or covered carts, which shall be clean and in good order and well secured from the rays of the sun.

Vegetables. SECT. 2. No person shall bring into the city or have in his possession with intent to sell, or sell, any vegetables, excepting green peas and beans in the pods and green corn in the inner husks, which have not previously been divested of all parts not commonly used for food; and no person shall have such parts in his possession in any market-place, or in a cart or vehicle used for the sale of vegetables or other articles of food.

Decayed food. SECT. 3. No person shall bring into the city, or have in his possession with intent to sell, any decayed or damaged fruit, vegetable or animal substance, except in accordance with a permit from the health commissioner.

Live fowl. SECT. 4. No person shall keep any live fowl, swine, or goats, except in accordance with a permit from the health commissioner.

Manure. SECT. 5. No owner or occupant of a building shall permit any manure to be therein, unless such building is used as a stable, or in that case permit more than two cords of manure to accumulate or remain therein; nor shall any person permit any manure to remain uncovered on his grounds outside of his building, or permit his building or any grounds connected therewith to be foul or unclean.

Removal of manure. SECT. 6. No person shall remove manure, or cause or suffer the same to be removed, except in accordance with a permit from the health commissioner, and except in a tight vehicle with a canvas cover so secured to the sides and ends as to prevent the manure from dropping while being removed.

Cows. SECT. 7. No person shall keep or allow to be kept in any building or on any premises of which he may be the owner or occupant, within the building limits of the city, more than one cow for each three thousand square feet of land in said building or premises, except in accordance with a permit from the health commissioner; and no person shall keep or allow to be kept in any building or on any premises of which he may be the owner or occupant, any cow, unless such building or premises be kept clean and wholesome.

SECT. 8. No person shall mar, misuse, defile, or deface ^{Public urinals.} a public urinal, or attach any hand-bill, advertisement, or drawing thereto.

SECT. 9. No person shall ring a church bell or other bell ^{Ringing bells.} when, on account of illness in the neighborhood, such ringing is forbidden by the health commissioner.

SECT. 10. No person shall place or keep any refuse or ^{Decaying matter.} noxious or decaying liquid or solid matter, except house-offal, in any building or in any waters or on any land, except in accordance with a permit from the health commissioner.

SECT. 11. No person shall keep in his house or on his land, ^{House offal.} any house-offal, unless the same is free from ashes and other refuse matter and so placed in a suitable vessel as to be easily removed.

SECT. 12. No person shall maintain a water-closet, vault, ^{Water-closets.} or privy in an unwholesome, unclean, or improper place or condition.

SECT. 13. No person shall place or keep ashes or cinders ^{Ashes and cinders.} in or near any building in such a manner as to be liable to cause fire, or mix them with other substances, or place or keep them except in metallic vessels so placed as to be easily removed.

SECT. 14. No person, other than employees of the city ^{Transportation of refuse.} engaged in public work, shall in any street carry house-dirt, house-offal or other refuse matter or interfere with the receptacles containing the same, except in accordance with a permit from the commissioner of public works approved by the health commissioner; and no person shall deposit or dump any house-dirt, house-offal, or other refuse matter, except in a place approved by the health commissioner, or place outside of any building or premises for removal any light refuse or rubbish that is likely to be scattered or blown about, unless the same is properly packed, bundled, or otherwise secured.

SECT. 15. No person shall bury, or cause to be buried, a dead ^{Burials.} body, in a grave less than three feet deep from the surface of the surrounding ground to the top of the coffin; and no person shall, except in accordance with a permit from the health commissioner either bury, or cause to be buried, a dead body, at any other time than between sunrise and sunset, or open a grave or tomb between the first day of June and the first day of October for a purpose other than that of interring the dead.

Cesspools and
privies.

SECT. 16. No person shall empty a cesspool, vault, or privy, except in accordance with a permit from the health commissioner.

Sewage and
waste water.

SECT. 17. No owner or occupant of a building or of land shall suffer sewage or waste or stagnant water to remain in such building or upon such land. No owner or occupant of land abutting on a private passageway and having the right to use such passageway shall suffer any filth, waste, or stagnant water to remain on that part of the passageway adjoining such land. No person shall discharge any waste water or water from a sink or water-closet, except through a drain into a sewer or cesspool or in accordance with a permit from the health commissioner.

Drains.

SECT. 18. No person shall suffer any particular drain from any building or land of which he is the owner or occupant to leak or be out of repair; and no person shall, except in accordance with a permit from the commissioner of public works, enter or attempt to enter a particular drain into a public drain or sewer.

Hawkers and Peddlers.

Registration.

SECT. 19. No person shall hawk or peddle any fruits or vegetables or any of the articles enumerated in section seventeen of chapter 101 of the General Laws and acts in amendment thereof or in addition thereto, until he has been assigned a number by the health commissioner, and until he has recorded with said commissioner his name and residence and, if he hawks or peddles articles which are sold by weight or measure, a certificate from the sealer of weights and measures that all weights, measures and balances to be used by him have been properly inspected and sealed. The presence of unsealed weights or measures on the team, cart or person of such hawker or peddler shall terminate permission to hawk or peddle under such registration.

No person shall hawk or peddle any fruits or vegetables until he has obtained a license therefor from the health commissioner, unless he is engaged in the pursuit of agriculture or unless such articles are the product of his own labor or of the labor of his family.

The health commissioner is hereby authorized to grant licenses to hawk or peddle fruits and vegetables to persons who have complied with the foregoing requirements, such

licenses to be for the term of one year from the date of issue, and to charge therefor a license fee of five dollars per annum.

The foregoing provisions shall not apply to minors licensed by the mayor and city council, unless such minors hawk or peddle fruits or vegetables.

SECT. 20. No person hawking, peddling, selling, or exposing for sale any articles, shall cry his wares to the disturbance of the peace and comfort of the inhabitants of the city, or in the neighborhood of schoolhouses or of places used for divine worship. Crying of wares.

SECT. 21. No hawker or peddler shall carry or convey articles enumerated in section seventeen of chapter 101 of the General Laws and acts in amendment thereof or in addition thereto, in a manner tending to injure or disturb the public health or comfort, or except in vehicles or receptacles which are neat and clean and do not leak, and which have printed on them in letters and figures at least two inches in height the name of the person selling and the number given him by the health commissioner, and which are approved monthly by the health commissioner. Vehicles and receptacles.

Firearms and Fireworks.

SECT. 22. No person shall fire or discharge a cannon, gun, fowling-piece, or firearm, within the limits of the city, except at a military exercise or review authorized by the military authority of the Commonwealth or by the city council or mayor of the city, or in the lawful defence of the person, family, or property of a citizen; provided, however, that this prohibition shall not apply to persons engaged in trap or target shooting on the grounds of a gun club licensed to be used for such purpose by the city council. Firing of cannon and guns.

SECT. 23. No person shall sell to any child under the age of sixteen years, without the written consent of a parent or guardian of such child, any cartridge or fixed ammunition of which any fulminate is a component part, or so sell any gun, pistol or mechanical contrivance arranged for the explosion of any such cartridge or fixed ammunition, unless such cartridge or fixed ammunition is a paper cap of which the only component parts are chlorate of potash and sulphide of antimony. Sales to children.

SECT. 24. No person, firm or corporation shall sell, offer or expose for sale, or loan or give away to any retail dealer, con- Sale of fireworks.

sumer or user located within the city, any toy pistol, toy gun, toy cannon, detonating cane, blank cartridge, firecracker exceeding six inches in length and one inch in diameter, firecracker of any size containing any explosive more powerful than black gunpowder, torpedo exceeding three-quarters of an inch in diameter, any substance consisting of chlorate of potash and sulphur or containing picric acid or picrates, or any device for discharging or exploding such substance.

Use of fireworks.

SECT. 25. No person shall, at any time, discharge or set off anywhere within the city, or have in his possession for such purpose, any kind of fireworks, except as hereinafter provided.

Time and place.

In that part of the city formerly Charlestown, on Bunker Hill Day or the day celebrated as such, and anywhere within the city, on Independence Day or the day celebrated as such, it shall be lawful for any person to discharge or set off between the hours of 6 a. m. and 7 p. m. any kind of fireworks, and between the hours of 7 p. m. and 10 p. m. fireworks for display only, except as hereinafter provided.

License.

It shall be lawful for any person to discharge or set off on days other than those named in paragraph two herein, fireworks for display only, provided he shall be granted a license for that purpose, except as hereinafter provided.

Use on tracks or rails.

No person shall, at any time, place upon the rail of any street or steam railroad or upon any street any cracker, cap or other explosive with the intent that it shall be discharged or exploded by the passage of any street car, steam car or other vehicle.

Use near hospitals and other buildings.

No person shall, at any time, discharge or set off any kind of fireworks within three hundred yards of a hospital, or of a building in which a patriotic concert, exhibition or exercise is in progress.

Certain fireworks prohibited.

No person shall, at any time, discharge or set off anywhere within the city, or have in his possession for such purpose, any toy pistol, toy gun, toy cannon, detonating cane, blank cartridge, firecracker exceeding six inches in length and one inch in diameter, firecracker of any size containing any explosive more powerful than black gunpowder, torpedo exceeding three-quarters of an inch in diameter, any substance consisting of chlorate of potash and sulphur or containing picric acid or picrates, or any device for discharging or exploding such substance.

Bonfires.

SECT. 26. No person shall make a bonfire or other fire in the open air on any wharf or street within the city, except in accordance with a permit from the fire commissioner.

Brick-kilns.

SECT. 27. No person shall erect, make, or fire, or cause to be erected, made or fired, within the city, a brick-kiln or lime-kiln, except in accordance with a permit from the fire commissioner.

Obstruction of Firemen and Fire Apparatus.

SECT. 28. No person shall obstruct any member of the fire department in the discharge of his duties, or wilfully interfere with any engine or other apparatus used by members of the fire department in the discharge of their duties.

The Market Limits.

SECT. 29. No person shall, within any market limits, sell any butter other than by weight; or sell, or expose for sale, any butter in lumps, unless such lumps weigh one or more integral pounds or quarter pounds; or sell, in any street within any market limits, any goods, wares, or merchandise at public auction, except in accordance with a permit from the commissioner of public works. Sale of butter. Auction of merchandise.

SECT. 30. No person shall, within any market limits, so occupy or obstruct any sidewalk as not to leave a clear and direct passage for travellers thereon; or so place or stop any vehicle abreast of, or near to, any other vehicle as not to leave a clear and direct passage for vehicles. Obstruction to travel.

SECT. 31. No person shall, within any market limits, permit any box, cask, or other receptacle, or any vehicle, or any horse or other beast, to remain in a street or sidewalk on the Lord's day, except in the evening and in a place assigned by the superintendent of markets or his deputy. Sunday regulations.

SECT. 32. No person shall, within any market limits, play any game, lie down, sleep, or behave in a noisy, disorderly, or riotous manner, or scuffle, or throw any missile or thing whatsoever; or in any public market-house within such limits smoke, or have a lighted pipe, cigar, or cigarette in his possession. Disorderly conduct.

Compliance
with directions.

SECT. 33. No person shall, within any market limits, neglect or refuse to obey or comply with any reasonable direction of the superintendent of markets or his deputy or any police officer.

Faneuil-hall Market Limits.

Place and
hours of sale.

SECT. 34. No person shall, within the Faneuil-hall market limits, sell or expose for sale goods, wares or merchandise in any place other than that assigned by the superintendent of markets, and except during the hours for keeping open the market prescribed by ordinance or by an order of the city council, or during the evenings immediately preceding Thanksgiving day and Christmas day.

Use of Streets.

Speed of ani-
mals and
vehicles.

SECT. 35. No person having the care of a horse, or other beast of burden, carriage, or draught, shall drive, or ride, or permit such horse, beast of burden, carriage, or draught, to go at a greater rate of speed than seven miles an hour in a public street, except in wards 18, 19, 20, 21, and 22, or in a public street in said excepted portion of the city at a greater rate of speed than twelve miles an hour. The provisions of this section or any other provision in the ordinances relative to the speed of vehicles shall not apply to ambulances connected with any hospital, or to emergency wagons of a street railway, while responding to a call, or to the fire department of the city.

Loitering.

SECT. 36. No person shall, in a street, unreasonably obstruct the free passage of foot-travellers, or wilfully and unreasonably saunter or loiter for more than seven minutes after being directed by a police officer to move on, but nothing in this section shall be construed to curtail, abridge, or limit the right or opportunity of any person to exercise the right of peaceful persuasion guaranteed by Statutes 1913, chapter 690, or to curtail, abridge, or limit the intendment of any statute of the Commonwealth of Massachusetts.

Foot-travellers
carrying
placards.

SECT. 37. No person shall, while on foot in any street, carry and display any showcard, placard, or sign, except in accordance with a permit from the commissioner of public works; and no person having the care or control of any vehicle used principally for advertising purposes shall permit such vehicle to travel in any of the public streets of the city proper,

Legal Notices

CITY OF BOSTON ORDINANCES OF 1942—CHAPTER I CONCERNING THE DISPLAY AND DISTRIBUTION OF ADVERTISING MATTER IN THE CITY STREETS

Be it ordained by the City Council of Boston, as follows:

SECTION 1. Section 37 of Chapter 39 of the Revised Ordinances of 1925 is hereby repealed and in lieu thereof the following section 37 is substituted:

SECTION 37. Except in accordance with a permit from the Commissioner of Public Works no person shall, for the purpose of advertising goods, wares or merchandise for sale, while on foot in any street, carry and display any show card, placard or sign, nor shall any person distribute to persons in any street for the purpose of advertising goods, wares or merchandise for sale, handbills, cards, circulars or papers other than newspapers, nor shall any person having the control of any vehicle used principally for advertising permit such vehicle to operate in any street north and east of Massachusetts Avenue. The Commissioner of Public Works shall establish, with respect to such advertising matter, such uniform rules governing the size of show cards, placards, and signs as shall be reasonably necessary to prevent interference with public travel and for the other convenience and safety of the public and such rules governing the size of handbills, cards, circulars and papers other than newspapers which may be distributed in the streets as shall be reasonably necessary to prevent littering or other hazard to public safety. Each permit issued hereunder shall contain a copy of the rules relating thereto and shall be limited by its terms to the authorization of conduct permitted thereby and otherwise legal.

No permit shall be required nor shall this ordinance operate to affect, interfere with or in any way abridge the right of persons on the streets to carry or display non-commercial showcards, placards or signs or to distribute non-commercial handbills, cards, circulars or papers other than newspapers.

SECTION 2. Section 41 of the Revised Ordinances of 1925 is hereby amended by striking therefrom the following:

“; or distribute to persons on a street, handbills, cards, circulars or papers of any kind except newspapers.”

In City Council, July 20, 1942. Passed.
Approved by the Mayor, July 23, 1942. A true copy. Attest:

W. J. DOYLE, City Clerk.
T3t jy28

girl he goes for her. His manner of going for her is obvious. He just up and hangs around, asks for dates, tells her a lot of things about herself, calls her on the phone, pesters her on each and every occasion and she will let him in her environment often and openly.

For instance you met this boy and he asked you for a blind date. If he liked you very much he would have mentioned that before the first date was set and he would ask you for a second date or ask if he could call on you.

If you said you were going to be busy and was dated up for the time being he would call you as soon as possible and ask you to keep a date for him. You would have to find ways to get to know him better. He would be the one who would make opportunities to know you better.

You liked the boy very much. You would like to have him for a boy friend. When you had the opportunity of meeting him you thought that should do the trick. But you failed in one thing, that is to interest him or he was not making the overtures to get acquainted. You ask me how to get him interested in a conventional way. You had a chance that time and evidently missed it. It may be that you just left him for no reason at all except he did not care for you. Now you can help work him up to the point of a arranged date, you can go to work on him and he may think you are pretty nice after further acquaintance. But you can't do anything about it by breaking over the conventional bars.

(Distributed by Chicago Sun Syndicate)

(Tomorrow: Emotions.)

north and east of Massachusetts avenue, except in accordance with a permit from the commissioner of public works.

SECT. 38. No person shall, except in accordance with a permit from the commissioner of public works, raise into, or lower from, the second or any higher story of a building, over any portion of a street, any article of merchandise.

Merchandise to
and from
second story.

SECT. 39. No person shall, except in accordance with a permit from the commissioner of public works, or as provided in section forty-four of this chapter, sprinkle, scatter, put, or place any ashes, cinders, earth, dirt, gravel, sawdust, salt, or mixture of salt, in or upon a street, or without such permit remove any manure or dirt from any street.

Sprinkling
ashes, etc. on
streets.

Removal of
manure.

SECT. 40. No person shall, in any street, wash or clean any animal or vehicle or shake or clean any mat or carpet. Nor shall any person between the hours of eight o'clock a. m. and seven o'clock p. m., in that portion of the city proper lying north and east of Kneeland, Eliot, Charles, Beacon, Bowdoin, Green and Leverett streets, sweep any sidewalk unless such sidewalk is in such condition that dust will not be raised by such sweeping.

Cleansing
animals,
vehicles and
mats in streets.

SECT. 41. No person shall throw or sweep into, or place or drop and suffer to remain in, any street, any piece of hoop, board, wood, wire, paper, or any nail, sweepings, sawdust, soot, ashes, cinders, shavings, hair, manure, oyster-shell, clam-shell, lobster-shell, glass, card, handbill, or rubbish or filth of any kind, or any noxious or refuse liquid or solid matter; or distribute to persons on a street, handbills, cards, circulars, or papers of any kind except newspapers.

Litter in
streets.

SECT. 42. No person shall coast in any street not designated therefor by the board of street commissioners.

Coasting in
streets.

SECT. 43. No person shall, in any street, play ball, throw stones, snow balls, or other missiles, or shoot with or use a bow and arrow or sling.

Throwing of
missiles in
streets.

SECT. 44. No owner or tenant of an estate abutting on a sidewalk shall place or suffer to remain for more than three hours between sunrise and sunset, any snow upon such sidewalk, or any ice upon such sidewalk unless such ice is made even and covered with sand, sawdust, or ashes to prevent slipping; nor shall any person place any ice or snow in a street, outside of the sidewalk, unless the same is made even at the time of placing.

Removal of
snow and ice.

- Firewood. SECT. 45. No person shall, in any street, saw or cut firewood.
- Driving or feeding cattle. SECT. 46. No person shall drive sheep, swine, or other neat cattle through or in any street, or feed or bait any animal in any street, except in accordance with a permit from the commissioner of public works.
- Grazing animals at large. SECT. 47. No person shall permit any horse, cow, swine, goat, or other grazing animal to go at large in any street.
- Street-watering. SECT. 48. No person shall water any street with a watering cart, except in accordance with a permit from the commissioner of public works.
- Bells and noise-making instruments. SECT. 49. No person, other than musicians in a lawful parade or procession or itinerant musicians licensed thereto by the police commissioner, shall, in any street, except as a warning of danger, ring or cause to be rung any bell, or use or cause to be used any musical or noise-making instrument.
- Unlawful games. SECT. 50. No person shall expose in any street any table or device of any kind intended for playing a game of hazard or chance; and no person shall play any such game or any other unlawful game in any street.
- Protection of trees, lamp-posts and hydrants. SECT. 51. No person shall climb, or tie a horse or other animal to, a tree, lamp-post, or hydrant in any street, or attach a wire to a tree belonging to the city or in a street, except by bending wire around a part of the tree over which is painted substantially the color of the tree and so placed as to protect the tree from injury.
- Profane or obscene language. SECT. 52. No person shall, in any street or other public place, accost or address another person with profane or obscene language.
- Vaults under sidewalks. SECT. 53. No person shall make any permanent excavation under the surface of a street, the inner face of the wall of which extends further under the street than to a line eighteen inches inside the line of the outer edge of the curbstone or sidewalk.
- Gratings. SECT. 54. No person shall place or maintain in a street any grating which extends more than eighteen inches into the street, or the spaces between the bars of which are more than one inch in width.
- Coal-holes and openings. SECT. 55. No person shall make a coal-hole or other opening in a street, except in accordance with a permit from the commissioner of public works.
- Guards for basement steps. SECT. 56. No person shall maintain an entrance to his estate by steps descending immediately from or near the line of a public street, unless the same is securely guarded.

SECT. 57. No person shall open or occupy any portion of a ^{Street open-} street, except in accordance with a permit from the commissioner of public works. Such permit shall be exhibited to a police officer upon his request.

Bridges and Wharves.

SECT. 58. No person shall deface or injure any public bridge ^{Bridges and wharves.} or any wharf connected therewith, or unnecessarily open the draw of any such bridge, or obstruct the passage of the same; nor shall any person, without the consent of the draw-tender, make fast to any public bridge, or draw, guard or pier thereof, any vessel, scow, raft, or float; nor shall any person remain inside of the draw-gates, or on any pier, wharf, fender, or appurtenance of such draw, while such gates are closed; nor shall any person, having under his charge a vessel passing through the draw of any such bridge, refuse or neglect to comply with the directions of a draw-tender relating to such passing.

Public Bathing.

SECT. 59. No person shall, except in accordance with regula- ^{Bathing.} tions established by the park commissioners approved by the mayor, swim or bathe in any of the waters surrounding or within the city so as to be visible from any dwelling-house, wharf, or street.

Use of Roadways for Vehicles.

SECT. 60. No person shall carry or cause to be carried ^{Weight of load on streets over subways.} on any vehicle, a load the weight whereof exceeds three tons, on any street or section of a street through or under which tunnels or subways are in process of construction by the Boston Transit Commission.

SECT. 61. No person having charge of a horse-drawn ^{Vehicles from which horses have been detached.} vehicle shall allow the same without an animal harnessed thereto to remain in a street for more than five minutes.

SECT. 62. No person having charge of a vehicle with an animal attached thereto to draw the same, shall drive or allow such an animal to go over a drawbridge at a gait faster than a walk. ^{Driving over drawbridges.}

SECT. 63. No person shall drive an animal drawing a vehicle ^{Bells on vehicles.} in a street during any time that snow or ice is upon or covers the street, unless there are three or more bells attached to the shaft or pole of the vehicle or to the animal or to some part of the harness thereon.

Direction of
vehicles.

SECT. 64. No person having charge of a vehicle shall, unless otherwise directed by a police officer, pass along a street or public alley in a direction contrary to that designated by the sign placed on the side of such street or alley.

Street Cars.

St. 1906, c. 463,
Part III, sec. 74.

SECT. 65.* No person having the control of the speed of a street railway car on the surface of any street, except in spaces especially reserved for street railway cars, shall allow such car to go at a rate of speed faster than ten miles an hour in any part of the city included within the following bounds: Charles street, Park square, Eliot street, Kneeland street, Atlantic avenue, Commercial street, Causeway street and Leverett street, including said boundary streets; or in any other part of the City Proper, so called, lying north of Massachusetts avenue and Southampton street, at a rate of speed faster than twelve miles an hour; or in any other part of the city at a rate of speed faster than fifteen miles an hour; or in turning a corner in any part of the city at a rate of speed faster than four miles an hour.

SECT. 66. In approaching any public or private way intersecting that in which the railway is located, the speed of the car must be reduced to such a rate as will make it possible to stop immediately.

SECT. 67. In rounding curves and in all cases where the view of the motorman is obstructed for any reason, the speed of the car must be reduced to meet the condition of limited vision of railway and highway.

SECT. 68. Before taking any heavy descending grade the speed of the car must be so reduced as to test the working of the brakes.

SECT. 69. Where the railway lies within a highway and is close to a narrow travelled road the speed of the car must be reduced to meet this condition whenever such road is in rightful use by others.

SECT. 70. Where the railway occupies a portion of the travelled road the absence of any exclusive right of way on the part of the car makes it necessary that its speed be from time to time so restricted as to permit others to safely exercise their common right to a reasonable use of the road.

SECT. 71. No person having the control of the speed of a

* Provisions of sections 65-70, inclusive, approved by the Board of Railroad Commissioners September 9, 1903.

street-railway car in any street shall, except in case of accident, or to prevent injury to persons or property, allow such a car to go within ten feet of a car or other vehicle in front.

SECT. 72. No person having control of the speed of a street-railway car shall allow it in any street to go against or afoul of any person, vehicle, or thing whatsoever; nor shall any such person fail to stop his car at any place in a street when directed by a police officer so to do.

SECT. 73. No person having control of the speed of a street-railway car passing in a street shall fail to keep a vigilant watch for all teams, carriages, and persons, especially children, nor shall such person fail to strike a bell several times in quick succession on approaching any team, carriage, or person, and no person shall, after such striking of a bell, delay or hinder the passage of the car.

SECT. 74. No person having control of the speed of a street-railway car passing in a street shall, on the appearance of danger to any team, carriage, or person from, or on the appearance of any obstruction to, his car, fail to stop the car in the shortest time and space possible.

SECT. 75. No person having control of the speed of a street-railway car shall stop any such car on a cross-walk or in front of an intersecting street, except to avoid collisions or danger to persons or as directed by a police officer.

SECT. 76. No street-railway company shall, except by permission of the commissioner of public works, sprinkle any gravel or sand, or any salt or other article of a decomposing nature, on its tracks or rails in a street, or wash such tracks or rails with brine or pickle.

Moving Buildings and Bulky Machinery.

SECT. 77. No person shall move bulky machinery, cars, ^{Moving} or other merchandise through, or place or move a building in ^{buildings.} or through, a street, except in accordance with a permit from the commissioner of public works.

SECT. 78. No person moving a building in a street under a permit therefor shall remove any shade-tree or branch thereof in a street, except in accordance with the permission of the park commissioners; or interfere with any fire-alarm telegraph wire, except in accordance with the permission of the fire commissioner; or interfere with any street lamp or lamp-post, except in accordance with the permission of the commissioner of public works.

Damage to Sidewalks.

Sidewalks.

SECT. 79. No person shall use a sidewalk for any purpose which subjects it to more than ordinary wear, or injures the material of which it is composed, unless such sidewalk be, by the owner of the abutting estate, constructed of granite or other stone, in a manner satisfactory to the commissioner of public works, and kept in repair by such owner.

Public Grounds.

Common and public grounds.

SECT. 80. No person shall, in or upon the Common, Public Garden or other public grounds of the city, walk, stand or sit upon the grass, or upon any land planted or prepared for planting, or upon a fountain, monument or statue, or a bandstand, wall, fence, or other structure, or within the basin of a pond otherwise than upon ice, or stand or lie upon a bench or sleep thereon, or, not being a woman or child, occupy a bench designated for the exclusive use of women and children,—except that the mayor may from time to time by proclamation and order permit walking, standing and lying upon the grassed land of the Common or any designated part thereof, or the grassed land of any other public grounds or any designated part thereof, except the Public Garden, for such days or such parts of days as he shall specify; and he may in like manner by proclamation and order permit sleeping on such days as he shall specify, on any of the benches and any of the grassed lands of the Common or other public grounds, except the Public Garden. Nothing contained in this section or in section eighty-two of this chapter shall be held to prohibit the doing of any act in the reasonable performance of his work or employment by any person acting under the authority or direction of any board or officer in charge of any of the places described in this section.

Public addresses.

SECT. 81. No person shall, in any of the public grounds, make a public address, expose for sale goods, wares, or merchandise, erect or maintain a booth, stand, tent, or apparatus for purposes of public amusement or show, or coast or engage in a game of ball, football, or other athletic sport, except in accordance with a permit from the mayor.

Profanity and other offences.

SECT. 82. No person shall, in the Common, Public Garden, or other public grounds of the city, annoy another person; or utter profane, threatening, abusive, obscene, or indecent language or loud outcry; or do any obscene or indecent act; or

have possession of, drink, or be under the influence of, intoxicating liquor; or play any game of chance or have possession of any instrument of gambling; or dig up, cut, break, deface, defile, ill-use, handle, take or remove any turf, flower, plant, bush, tree, rock, sign, fence, structure or other thing or part thereof belonging to the city; or cut, break, or remove the ice in or from a pond; or drive an animal, or suffer an animal in his charge to feed or go at large, except dogs on the Common; or propel any vehicle, except a vehicle pushed or drawn by hand and designed to convey children; or throw a stone or other missile; or injure or have possession of a fish, bird, or wild animal; or injure or disturb a bird's nest or eggs; or set a trap or snare; or drop or place and suffer to remain paper or other refuse, except in receptacles designated therefor.

Water Supply.

SECT. 83. No person shall, without permission of the com- Use of water.
missioner of public works, make an opening in or connection with, or turn on or off or draw off water from, a water pipe or reservoir owned by the city; or, except in accordance with a written permit from the commissioner or in case of fire in the neighborhood, allow water to be taken from his premises, or use water for any purpose other than that for which he pays; or unscrew or open a hydrant attached to the water pipes of the city; or, except in accordance with the regulations of the commissioner, discharge water through a hand-hose. Nor shall any person interfere with the registering apparatus of a water meter put in by the city, or damage or injure such meter.

Ward-rooms; Faneuil Hall.

SECT. 84. No persons not included in a call for a meeting Ward meet-
ings.
held under a permit granted by the superintendent of public buildings, and no person, when objection is made by the majority of the applicants for such permit present at the meeting or by the presiding officer at such meeting, shall mark a ballot, or vote, or remain, at such meeting.

SECT. 85. No person, other than the superintendent of public buildings or some person by him duly authorized, shall carry away or interfere with a copy of a list of voters posted or hung up in a ward-room.

SECT. 86. No person shall put up any decoration in or on Faneuil Hall unless authorized thereto by an order of the city

council; nor shall any person so authorized drive any nail or screw into the building or any part thereof in putting up any decoration.

Numbering of Buildings.

Numbering
of buildings.

SECT. 87. No person shall neglect or refuse to affix to any building owned by him the street number designated for such building by the commissioner of public works; nor shall any person affix to or suffer to remain on any building owned or occupied by him a street number other than the one designated for such building by the commissioner.

Notices and Placards.

Notices and
placards.

SECT. 88. No person shall post up or affix in any manner, paint, print, or write, or cause to be painted, printed, or written, a notice, advertisement, or bill, upon a post, pole, fence, wall, or building in the city, unless he has previously obtained the consent of the person having possession of such post, pole, fence, wall, or building.

SECT. 89. No person shall, without the consent of the mayor, post up, or affix in any manner, or paint, print, or write, or cause to be painted, printed, or written, a notice, advertisement, or bill, upon a curbstone, sidewalk, tree, telegraph-pole, lamp-post or hydrant, in a street or public place, or upon a walk, fence, or building belonging to the city.

Junk and Second-hand Articles.

Business hours.

SECT. 90. No person keeping a shop for the purchase, sale, or barter of junk, old metals, or second-hand articles shall purchase any of the aforesaid articles or have his shop open for the transaction of business, except between sunrise and nine o'clock in the evening of any week day except Saturday, on which day such shop may be kept open, and such articles purchased, from sunrise until ten o'clock in the evening; and no such person or junk collector shall directly or indirectly either purchase or receive by way of barter or exchange any junk, old metals, or second-hand articles from a minor or apprentice, knowing or having reason to believe him to be such.

Dogs.

SECT. 91. No person shall own or keep in the city any dog which by barking, biting, howling, or in any other manner disturbs the quiet of any person.

Unnecessary Noise in the Vicinity of Hospitals.

SECT. 92. The commissioner of public works shall at ^{Noise at hospitals.} the request of the hospital authorities, place and maintain a sign or signs displaying the words, "WARNING! HOSPITAL — MAKE NO NOISE" at such points as he may determine on public streets and places in the vicinity of hospitals accommodating more than fifty patients. No foot traveller, driver of a vehicle, motorman of a street car or operator of a motor vehicle shall make any unnecessary noise in the vicinity of such hospitals so as to unreasonably disturb patients therein.

Jitney Licenses.

SECT. 93. No person, firm or corporation shall, in the ^{G. L., c. 159, secs. 45-49.} city of Boston, operate any motor vehicle upon any public way, for the carriage of passengers for hire, in such a manner as to afford a means of transportation similar to that afforded by a railway company, by indiscriminately receiving and discharging passengers along the route on which the vehicle is operated or may be running, or for transporting passengers for hire as a business between fixed and regular termini, without first obtaining a license therefor from the city council, and unless such license is in force according to the provisions of and subject to this and the following sections. Such license shall be subject to revocation at any time by order of the city council, and the withdrawal or impairment of the surety on the bond required by section ninety-six of this chapter shall be deemed to be a revocation without action by the city council. The fee for such license shall be five dollars. Whenever the word "licensee" is used in this and the following sections it shall mean the person, firm or corporation licensed under this section.

SECT. 94. No licensee shall so operate any such motor ^{Route.} vehicle except between such termini and over such route and with such stopping places as shall be specified by the city council in the license granted under the provisions of section ninety-three, and, except in case of emergency, the licensee shall not deviate from the specifications of said license without the approval of the city council.

SECT. 95. No licensee shall charge, demand, collect or receive ^{Fare.} a greater, or less, or different compensation for the transportation of passengers or for any service in connection therewith, than the rates, fares and charges applicable to such transportation as specified in the license granted by the city council.

Bond.

SECT. 96. No such license shall be issued or become operative until the licensee shall have filed with the city clerk either a bond of a surety company approved by the city treasurer, conditioned to pay any final judgment against the principal named therein for any injury to person or property, or damage for causing the death of any person, by reason of any negligence or unlawful act on the part of the principal named in said bond, his or its agents, employees, or drivers in the use or operation of any such vehicle; or an automobile liability insurance policy of the commercial type, accompanied by a bond with surety approved by the city treasurer, conditioned to make payment as required by such policy even though the insurance company receives no notice or information of the accident causing the damage or injury from the assured, his employees, agents or servants. The bond, or the insurance policy and the bond accompanying such policy, shall be in a sufficient sum to cover each and every vehicle operated by the licensee in accordance with the following schedule:

For a vehicle having a seating capacity of five persons or less — \$5,000.

For a vehicle having seating capacity of six or more persons — \$5,000 and \$500 additional for each passenger seat in excess of five.

Provided, however, that a bond, or an insurance policy and bond, of \$25,000 shall be deemed sufficient to cover all the vehicles operated by any one licensee.

Operators
licenses.

SECT. 97. No person shall drive, operate, or be in charge of any such motor vehicle in any public street, way, or place, without first obtaining, in addition to the chauffeur's license issued by the Massachusetts Department of Public Works, a special annual license from the street commissioners, and unless both of said licenses are in force. The special license granted by the street commissioners shall be upon such terms and conditions as the street commissioners may deem proper to impose and shall be granted only to a person licensed under section ninety-three of this ordinance or to an employee of a person, firm or corporation so licensed.

Inspectors.

SECT. 98. No licensee shall operate by himself or by his agents or employees any such motor vehicle unless it has been inspected and licensed annually by the street commissioners. The fee for such license shall be five dollars for each vehicle.

SECT. 99. Every licensee shall file with the street commissioners:

(a.) A schedule of operation in conformity with section one hundred and four hereof, showing the effective date thereof, the time of arrival and departure from and at all termini, and the time of departure from important intermediate points. Schedule of operation.

(b.) A schedule of tariff showing the passenger fares to be charged under the license granted by the city council between the several points or localities and the principal intermediate points to be served.

(c.) The seating capacity, according to its trade rating, of each motor vehicle which it is proposed to operate.

If the motor vehicle has been adapted for use as a bus either by converting a freight-carrying truck into a passenger-carrying vehicle or by reconstructing, modifying or adding to the body or seating arrangements of a passenger-carrying motor vehicle, a statement of the seating capacity shall be added.

SECT. 100. No such motor vehicle shall be used or operated without a printed sign thereon stating the termini of the route, the fare to be charged, and the license number, which sign shall be so printed and attached to the motor vehicle as to be plainly visible to persons on the street, or without a printed sign thereon showing the schedule of service filed and in effect at the time, which sign shall be so printed and attached to the said motor vehicle as to be plainly visible to passengers boarding such motor vehicle. Information to passengers.

SECT. 101. The license issued for such motor vehicle shall designate the number of passengers, exclusive of the operator, the licensee is authorized to carry in said vehicle, and no person driving or in charge of said vehicle shall take on or suffer or permit any more persons to ride or to be carried thereon at any one time than the number designated in the license, or permit any person to stand inside or to stand or sit upon any running board, steps, fender, dash or hood thereof, or permit any person to ride on such motor vehicle outside the body thereof; *provided, however*, that in addition to the number of passengers which said motor vehicle by the terms of its license is permitted to carry, children under seven years of age may be carried therein, in arms, or seated on the laps of adult persons accompanying them, but no passenger with a child in arms or seated on the lap shall be permitted on any front seat of the vehicle. Number of passengers.

Vehicles.

SECT. 102. The licensee shall not reconstruct, materially alter, modify, or add to the body or seating arrangements of any such motor vehicle after the license thereof is issued without first applying for and receiving the consent of the street commissioners.

Not transferable.

SECT. 103. No license for such motor vehicle shall be transferable or applicable to any other motor vehicle than that specified therein, *provided, however*, that the street commissioners may revise said license so that under said license as revised another motor vehicle may be substituted for one previously covered.

Operation.

SECT. 104. The schedule of operation filed by the licensee shall provide for the regular operation of a motor vehicle between the termini and over the route designated in the license. The licensee shall regularly operate a motor vehicle in substantial accordance with the schedule of operation filed and in effect at the time, except in cases of accidents, breakdowns, or other controlling emergency, shall operate such motor vehicle to the terminus of the route before turning around, and shall not operate nor permit to be operated any such motor vehicle off or away from the route stated and fixed in the license for the operation of such motor vehicle except in case of controlling emergency. Nothing herein shall be construed to prohibit the operation, in addition to the service described in the schedule on file and in effect at the time, of special or extra trips over said route and between said termini during certain hours or on special occasions.

Carriage of passengers.

SECT. 105. No person operating any motor vehicle so licensed shall refuse to carry any person offering himself or herself at any regular stopping place for carriage, unless the seats of such vehicle are fully occupied, or unless such person is in an intoxicated condition, or conducting himself in a boisterous or disorderly manner, or is using profane language.

Lighting, etc.

SECT. 106. No motor vehicle so licensed shall be operated from one half hour after sunset till one half hour before sunrise, with the top and curtains of said vehicle up, or while said vehicle is otherwise enclosed, unless there be sufficient light provided to adequately light the whole of the interior of said vehicle; and all motor vehicles so licensed with a seating

capacity of more than seven passengers shall come to a full stop immediately before crossing the tracks of any railroad at grade.

SECT. 107. Every such motor vehicle shall be equipped ^{Equipment.} with a suitable horn or other similar warning device, with a standard speedometer, and with a liquid fire extinguisher of a design or type approved by the street commissioners, and such horn, speedometer and fire extinguisher shall be kept in satisfactory operating condition at all times. Every such motor vehicle shall, when leaving either terminus, be equipped with at least one extra serviceable tire, and shall at all times carry and maintain in good working order a set of skid chains, which shall be applied to the rear wheels when such vehicle is operated in any street or public place where there is snow or ice, or during other weather conditions when the application of such chains is necessary to prevent skidding.

SECT. 108. No person operating any motor vehicle so ^{Conduct of operators.} licensed shall collect fares, make change or take on or discharge passengers while such vehicle is in motion; nor shall he have a lighted cigarette, cigar or pipe in his possession while any passenger is being carried therein, nor drink any intoxicating beverage or use morphine, cocaine, opium or other harmful drug of any kind, or be under the influence thereof while engaged in operating such vehicle.

SECT. 109. Every licensee shall immediately report fully, ^{Report of accidents.} in writing, to the city clerk, the time, place, and cause of any fatal accident or any injury to a passenger or other person, and of any accident resulting in substantial damage to property, in which he or any motor vehicle or operator under his control is involved.

SECT. 110. The street commissioners may suspend or ^{Suspension or revocation.} revoke any license granted for such motor vehicle, and any license issued by them to any person to drive or operate such vehicles, for violation of any law of the commonwealth in relation to the operation of motor vehicles, or for violation of any ordinance or street traffic regulation, or for violation of any of the rules, restrictions, requirements or regulations herein prescribed, or for any other cause deemed by said street commissioners, in the exercise of reasonable discretion, to be sufficient.

Penalties.

Penalties.

SECT. 111. Any person, firm or corporation violating section twenty-four of this chapter shall be subject to a penalty not exceeding fifty dollars for each offense, and a separate offense shall be regarded as committed for every day during which such person, firm or corporation shall continue such violation. Any person violating any provision of section twenty-five of this chapter shall be subject to a penalty not exceeding fifty dollars for each offense. Any person violating any provision of section ninety-one of this chapter shall be punished by a fine not exceeding ten dollars for each offense; and any person violating any other provision of this chapter, except as hereinbefore provided, shall be punished by a fine not exceeding twenty dollars for each offense, and not only the person actually doing the prohibited thing, but also his employer and every other person concerned in so doing, shall be punished by such fine.

CHAPTER 40.

MISCELLANEOUS PROVISIONS.

Building Limits.

St. 1907, c. 550, SECTION 1. The building limits referred to in section nine of
sec. 9. chapter 550 of the Acts of 1907 are hereby extended, defined
St. 1914, c. 782, and established as follows:
sec. 1.

All that portion of the city which is included within a line beginning at the intersection of the boundary lines between the city of Boston and the cities of Somerville and Everett; thence by the boundary lines between the city of Boston and the cities of Everett and Chelsea to the intersection with the centre line of Trumbull street extended northerly; thence by said centre line of Trumbull street extended, the centre line of Trumbull street and said centre line extended southerly to the Harbor line; thence by said Harbor line to its intersection with the easterly line of Pier No. 5 belonging to the Boston and Albany Railroad Company; thence by a straight line across Boston Harbor to its intersection with the Harbor line at the easterly corner of Pier No. 1, in South Boston; thence by the Harbor line in the northerly, easterly and southerly portions of South Boston to an angle in said Harbor line nearly opposite the intersection of the centre line of Columbia road with the centre line of location of the Old Colony

Railroad; thence by a straight line to the said intersection; and by the centre lines of Columbia road, Blue Hill avenue, Seaver street, Columbus avenue, Atherton and Mozart streets, Chestnut avenue, Sheridan, Centre, and Perkins streets, South Huntington avenue, Castleton street and the centre line of said Castleton street extended to the boundary line between the city of Boston and the town of Brookline; thence by said boundary line to a point therein one hundred feet southwest of Washington street in the Brighton district; thence by a line parallel to and one hundred feet southwesterly from the centre line of Washington street to an angle formed by the intersection of said line with the extension of a line parallel to and one hundred feet northwesterly of the centre line of Market street; thence by said extension and said line parallel to and one hundred feet northwesterly of the centre line of Market street to a point one hundred feet south of the centre line of Western avenue; thence by a line parallel to and one hundred feet south of the centre line of Western avenue and said line extended to a point in the boundary line between the city of Boston and the town of Watertown south of Watertown Bridge, so-called; thence by said boundary line and the boundary line between the city of Boston and the cities of Cambridge and Somerville to the point of beginning. Also those portions of the Hyde Park district upon or within one hundred feet of the following-named streets and squares: Everett square, so-called; Fairmount avenue from River street to the Neponset river; River street from the location of the Boston & Providence Railroad to Winthrop street; Hyde Park avenue on the easterly side from the northerly side of Oak street to Everett street; Hyde Park avenue on the westerly side from the northerly side of Pine street extension, so-called, to a point on said Hyde Park avenue opposite the southerly line of Everett street; Harvard avenue from River street to Winthrop street; Maple street from River street to a point one hundred and eighty feet southerly therefrom; Central avenue from River street to Winthrop street; Davison street from Fairmount avenue to a point three hundred feet northeasterly therefrom; Grove street; Pierce street from Fairmount avenue to a point three hundred feet northeasterly therefrom; Knott street from Fairmount avenue to a point three hundred feet easterly therefrom; Railroad avenue from Fairmount avenue to a point three hundred feet northeasterly therefrom; Station

street from the Neponset river to a point three hundred feet northeasterly from Fairmount avenue; Walnut street from Fairmount avenue to a point three hundred feet southwest-erly therefrom; Maple street from Fairmount avenue to a point one hundred and twenty-five feet westerly therefrom.

Routes for Parades.

Parades.

SECT. 2. The following streets are hereby designated to be used for the route of parades containing more than five hundred persons, or more than two bands of music, viz.: Boylston street from Park square to Tremont street, Tremont street from Boylston street to Bromfield street, Bromfield street, Wash-ington street from Bromfield street to School street, School street, Beacon street from Tremont street to Arlington street, Charles street from Beacon street to Boylston street, Columbus avenue from Massachusetts avenue to Park square, and Park square; and the streets contained within the following named districts are hereby designated to be used for the formation and dis-missal of such parades, viz.: The streets within the district bounded by the easterly side of Massachusetts avenue, the northerly side of Beacon street, the easterly side of Charles street, and the northerly side of Boylston street, and the streets within the district bounded by the easterly side of Massa-chusetts avenue, the southerly side of Huntington avenue and Boylston street, the westerly side of Berkeley street, and the northerly side of Tremont street.

SECT. 3. No streets, except those named in the foregoing section, shall be used for the purposes stated therein between 10 a. m. and 5 p. m. in that portion of the City Proper lying north and east of Massachusetts avenue and Southampton street, on days other than Sundays or holidays, except by vote of two-thirds of the members of the city council.

Agent Under Workmen's Compensation Act.

G. L., c. 153,
sec. 75.

SECT. 4. The salary and expenses of the person designated to act as the agent for the payment of workmen's compensa-tion under chapter 244 of the General Acts of 1915 shall be chargeable to the appropriation for the reserve fund.

City Automobiles.

City auto-
mobiles.

SECT. 5. All automobiles owned by the city shall be regis-tered in its name, and shall be painted a uniform distinctive

color, bearing on each side the words "City of Boston" and also a designation in words showing by which department such automobiles are used; provided, however, that the automobiles of the fire department may be painted red.

Municipal Standard and City Flag.

SECT. 6. The municipal standard of the city of Boston, Ords. 1916, c. 8 which is hereby established, shall be made of silk of the colors designated, namely: Continental blue and buff, and shall be five feet in length and three and one half feet in width, or in proportion thereto. Provided, that a city flag of like design and colors may be made of bunting for outdoor display, the size of such bunting flag to depend upon the place of display. The body of the standard shall be blue, as specified, with the official city seal embroidered in the center; and two rings of white shall encircle the seal. The reverse of the municipal standard shall bear a representation of the Trimountain. The city flag shall have no reverse except the seal showing through the bunting, the seal to be painted on or woven in the fabric. The municipal standard shall have a fringe of Continental buff; the city flag to be without fringe.

SECT. 7. The colors herein specified shall be the official colors for the city of Boston, namely: Continental blue and Continental buff.

SECT. 8. The city flag shall be displayed on city hall and may be displayed on Boston Common on occasions when the national flag is ordered displayed.

SECT. 9. The municipal standard of silk may be carried or displayed in parades, at reviews, and on other official occasions when the mayor is present and when directed by him. Boston organizations may have copies of the municipal standard on approval by the mayor.

SECT. 10. Neither the municipal standard nor the city flag nor any reproduction shall be used for any commercial purpose, and no advertising device shall be placed upon it or used in connection with it; and the municipal flag or standard shall not be used for any purpose not authorized by the foregoing sections, except with the permission of the mayor.

SECT. 11. Any person violating any provision of section ten of this chapter shall be punished by a fine not exceeding twenty dollars for each offence, and not only the person

actually doing the prohibited thing, but also his employer and every other person concerned in so doing shall be punished by such fine.

SECT. 12. The city messenger shall be custodian of the municipal standard and of the city flags that are the property of the city.

Contracts Made by the City.

Ords. 1921, c. 9.
Contracts
with citizens.

SECT. 13. No contract shall be made by the city except with,—

(a) individual citizens of the United States;

(b) corporations or other legal associations wherein the controlling interest to the extent of at least over one-half thereof is owned by a citizen or citizens of the United States.

Employment
of citizens.

SECT. 14. No person other than a citizen of the United States shall be employed on any public work being done by,—

(a) the city of Boston;

(b) any contractor with the city of Boston;

(c) any subcontractor with such contractor;

except that persons not such citizens may be employed in the manner and under the conditions set forth in the following section.

Authority to
employ aliens.

SECT. 15. Whenever no citizens of the United States competent to perform the work in question can be had at the prevailing and customary rate of wages, the head of the department having charge of the work in question, with the written approval of the mayor, may issue a written authorization for the employment of such number of persons other than citizens for such time as may be necessary to do the work, provided that no such authorization shall be issued except after compliance with the provisions of the following section.

Hearing.

SECT. 16. Before issuing the written authorization provided for in the preceding section, the head of the department having charge of the work or contract shall give one or more public hearings and shall satisfy himself and certify in writing that the facts exist which warrant the issuance of such authorization. Where the employment is to be by a contractor or subcontractor he shall require a written statement from such contractor or subcontractor to such facts sworn to before a justice of the peace.

Inspection.

SECT. 17. It shall be the duty of all heads of departments to cause suitable inspection to be made of all work for which they are severally responsible to ensure compliance with the

provisions of the four preceding sections, and also to call all breaches thereof to the attention of the proper authorities for prosecution.

SECT. 18. Any person, firm or corporation violating any Penalty. provisions of sections thirteen, fourteen, fifteen or sixteen of this chapter shall be subject to a penalty not exceeding twenty dollars for each offence and a separate offence shall be regarded as committed for every day during which such person, firm or corporation shall continue such violation.

SECT. 19. All contracts hereafter made by the city shall Provision in contracts. contain suitable provisions requiring contractors and subcontractors to comply with the terms of sections thirteen, fourteen, fifteen and sixteen of this chapter and providing that no recovery shall be had on such contracts or subcontracts either against the city or any other person if a breach of said sections has been established.

Restrictions on Park Frontages.

SECT. 20. No building or structure or any part thereof Ords. 1923, c. 8. hereafter erected or altered on land which abuts on and has an entrance into and is within a distance of one hundred feet Use of buildings. from the following parkways: The Fens (excepting Charlesgate East and Charlesgate West from a point one hundred feet north from their intersection with Commonwealth avenue to Charles river); Riverway, including Audubon road, from Brookline avenue to Beacon street; Commonwealth avenue, from Arlington street to a line drawn parallel to and one hundred and thirty feet west of Charlesgate West, and from a line parallel to and one hundred and thirty-five feet south of the southerly line of Washington street to the Newton line; Jamaica way; Olmsted Park; Arborway; Columbia road on the southerly side from Sumner street to Dorchester avenue, and from Buttonwood street to Marine Park, and on the northerly side from Boston street to Marine Park, South Boston; shall be used for a livery or public stable or public garage, or for any mechanical, mercantile or manufacturing purposes, nor, excepting churches and chapels, shall the extreme height of said buildings or structures exceed seventy feet from the mean grade of the edgestone or sidewalk on the front facing said parkway, exclusive of such steeples, towers, domes, cornices, parapets, balustrades, sculptured ornaments, chimneys and roofs as the board of park commissioners shall

approve; and no roof on any of the aforementioned buildings shall be used for laundry or clothes-drying purposes; *Provided, however,* that as to the lot of land at the southwest corner of Commonwealth avenue and Massachusetts avenue the prohibition of the use of building for mercantile purposes shall apply only to so much of any building erected thereon as lies within fifty feet of the southerly line of Commonwealth avenue.

Permit for
erection.

SECT. 21. No building or structure shall hereafter be erected or altered within a distance of one hundred feet from park or parkway in the city of Boston, without permission in writing having first been obtained from the park commissioners of the city of Boston.

Set-back.

SECT. 22. No building shall be erected or placed upon premises within the following distances from the following parks and parkways: Riverway, from Fenway to Huntington avenue, twenty feet; Jamaica way, from Huntington avenue, to Perkins street, twenty feet; Jamaica way, from Perkins street to Prince street, twenty-five feet; Arborway, from Prince street to Franklin Park, twenty-five feet; Olmsted Park along the northwesterly boundary from Chestnut street to Francis Parkman Drive, twenty feet; Audubon road on the Riverway, from Brookline avenue to Boston and Albany Railroad, twenty feet; Audubon road on the Riverway, from Boston and Albany Railroad to Beacon street, fifteen feet; Commonwealth avenue, from Arlington street to Beacon street, twenty feet; the Fens, twenty feet (excepting Charlesgate East from Boylston street to the Charles river, and Charlesgate West from Boston and Albany Railroad to the Charles river, and Boylston street, south side, from Hemenway street to Fenway); Charlesgate East from Boylston street to Ipswich street, ten feet; and Boylston street, south side, from Hemenway street to Fenway, fifteen feet; provided that steps, windows, porticos and other usual projections appurtenant to the front wall of a building shall be allowed where there is a reserved space; that no projections in the nature of a bay window, corner bay, circular front, or octagon front, with the foundation wall sustaining the same (such foundation wall being a projection of the front wall), shall be allowed (excepting oriel windows above the first story on a street corner), unless any horizontal sections of such projections would fall within the external lines of trapezoids, the sum of whose bases upon the rear line of the aforesaid space does not exceed seven tenths of

the whole front of the building, and the base of any one of which trapezoids does not exceed eighteen feet, and whose side lines make an angle of forty-five degrees with the base; and each house in a block shall be considered a separate building within the meaning of this section.

SECT. 23. No building shall be erected or placed upon Set-back. premises within twenty feet from the exterior line of parks and parkways, on the Dorchesterway and Strandway; *provided*, that steps, windows, porticos and other usual projections appurtenant to the front wall of a building are to be allowed in this reserved space of twenty feet, subject to the following limitations, viz.: First, that no projections of any kind (other than doorsteps and balustrades connected therewith, and also piazzas projecting not more than eight feet) shall extend more than five feet from the rear line of the aforesaid space; second, that no projections in the nature of a bay window, corner-bay, circular front, or octagon front, with the foundation wall sustaining the same (such foundation wall being a projection of the front wall), will be allowed (excepting oriel windows above the first story on a street corner), unless any horizontal sections of such projections would fall within the external lines of trapezoids, the sum of whose bases upon the rear line of the aforesaid space does not exceed seven tenths of the whole front of the building, and the base of any one of which trapezoids does not exceed eighteen feet, and whose side lines make an angle of forty-five degrees with the base; and each house in a block shall be considered a separate building within the meaning of this limitation.

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TABLE OF CHANGES.

TABLE OF CHANGES.

The following table shows the disposition made of the Revised Ordinances of 1914 and the ordinances subsequent thereto. If the ordinance has been retained substantially unchanged, the chapter where it may be found in the Revised Ordinances of 1925 is indicated. If it has been otherwise disposed of, the reason therefor is set forth.

ABBREVIATIONS.

In this table c. is used for chapter; s. for section; Stat. for statutes of a given year.

Revised Ordinances of 1914.	Where Found in Revised Ordinances of 1925.
c. 1	c. 1.
c. 2	c. 2.
c. 3	c. 3.
c. 4	c. 4.
c. 5	c. 5.
c. 6	c. 6.
c. 7	Repealed by Ordinances of 1920, c. 7.
c. 8	c. 10.
c. 9	c. 22, s. 8-10.
c. 10	Repealed by Ordinances of 1920, c. 7.
c. 11	c. 11.
c. 12	c. 12.
c. 13	c. 13.
c. 14	c. 8.
c. 15	c. 14.
c. 16	c. 15.
c. 17	c. 16.
c. 18	c. 17.
c. 19	Repealed by Ordinances of 1920, c. 7.
c. 20	c. 19.
c. 21	c. 20.
c. 22	c. 21.
c. 23	c. 26.
c. 24	c. 22.
c. 25	c. 23.
c. 26	c. 24.
c. 27	c. 25.
c. 28	c. 27.
c. 29	c. 28.

Revised Ordinances of 1914.	Where Found in Revised Ordinances of 1925.
c. 30	c. 29.
c. 31	c. 30.
c. 32	c. 31.
c. 33	c. 32.
c. 34	c. 33.
c. 35	c. 34.
c. 36	c. 36.
c. 37	c. 37.
c. 38	Repealed by Ordinances of 1919, c. 2.
c. 39	c. 38.
c. 40	c. 39.
c. 41	c. 40.
Ordinances of 1914. Second series.	
c. 1	c. 16.
c. 2	c. 13, s. 5.
Ordinances of 1915.	
c. 1	Repealing ordinance.
c. 2	Repealed by Ordinances of 1923, c. 5.
c. 3	c. 39, s. 19.
c. 4	c. 39, s. 21.
c. 5	(See Ordinances of 1920, c. 1, and Ordinances of 1923, c. 7.)
Ordinances of 1916.	
c. 1	c. 39, s. 36.
c. 2	c. 40, s. 4.
c. 3	c. 6, s. 6; c. 27, s. 1 and 9.
c. 4	c. 39, s. 92.
c. 5	(See Ordinances of 1923, c. 5.)
c. 6	(See Ordinances of 1925, c. 7.)
c. 7	c. 30, s. 2.
c. 8	c. 40, s. 6-12.
Ordinances of 1917.	
c. 1	(See Ordinances of 1925, c. 7.)
c. 2	(See Ordinances of 1921, c. 3.)
c. 3	c. 9.
c. 4	(See Ordinances of 1922, c. 11.)
c. 5	c. 38, s. 24.
c. 6	c. 3, s. 5.
Ordinances of 1918.	
c. 1	c. 39, s. 90.
c. 2	(See Ordinances of 1925, c. 7.)
c. 3	c. 35.
Ordinances of 1919.	
c. 1	c. 3, s. 5.
c. 2	c. 15, s. 10-11.
c. 3	(See Ordinances of 1921, c. 6.)

Where Found in
Revised Ordinances
of 1925.

Ordinances of 1919.

c. 4	(See Ordinances of 1921, c. 6.)	
c. 5	(See Ordinances of 1925, c. 7.)	
c. 6		c. 3, s. 5.

Ordinances of 1920.

c. 1		c. 3, s. 5.
c. 2		c. 3, s. 5.
c. 3	(See Ordinances of 1925, c. 7.)	
c. 4	(See Ordinances of 1921, c. 6.)	
c. 5	(See Ordinances of 1925, c. 7.)	
c. 6		c. 39, s. 40.
c. 7	(See Ordinances of 1924, c. 9 and 10.)	
c. 8		c. 3, s. 5.
c. 9		c. 3, s. 5.
c. 10		c. 10, s. 8.
c. 11		c. 38, s. 25-29.
c. 12		c. 36, s. 4.
c. 13		c. 22, s. 8-10.

Ordinances of 1921.

c. 1		c. 3, s. 5.
c. 2		c. 36, s. 1.
c. 3		c. 27, s. 1.
c. 4		c. 3, s. 5.
c. 5		c. 10, s. 5.
c. 6		c. 39, s. 93-110.
c. 7		c. 3, s. 5.
c. 8		c. 8.
c. 9		c. 40, s. 13-19.

Ordinances of 1922.

c. 1		c. 35.
c. 2		c. 27, s. 1.
c. 3		c. 3, s. 5.
c. 4		c. 18, s. 5-7.
c. 5		c. 40, s. 20-23.
c. 6	(See Ordinances of 1923, c. 11.)	
c. 7		c. 22, s. 3.
c. 8		c. 3, s. 5.
c. 9		c. 32, s. 2.
c. 10		c. 27, s. 22.
c. 11		c. 11, s. 2-5.

Ordinances of 1923.

c. 1		c. 3, s. 5.
c. 2		c. 40, s. 20-23.
c. 3	(See Ordinances of 1925, c. 7.)	
c. 4		c. 3, s. 5.
c. 5		c. 12.
c. 6		c. 21, s. 2.
c. 7		c. 3, s. 5.
c. 8		c. 40, s. 20-23.

		Where Found in Revised Ordinances of 1925.
Ordinances of 1923.		
c. 9		c. 39, s. 37.
c. 10		c. 36, s. 1.
c. 11		c. 32, s. 1; c. 3, s. 5.
c. 12		c. 40, s. 20-23.
Ordinances of 1924..		
c. 1		c. 3, s. 5.
c. 2	(See Ordinances of 1925, c. 7.)	
c. 3		c. 39, s. 93.
c. 4		c. 39, s. 80.
c. 5		c. 40, s. 20.
c. 6		c. 40, s. 20.
c. 7		c. 3, s. 5.
c. 8		c. 40, s. 20.
c. 9		c. 23.
c. 10		c. 18.
Ordinances of 1925.		
c. 1		c. 3, s. 5.
c. 2		c. 3, s. 5.
c. 3		c. 3, s. 5.
c. 4		c. 31, s. 1.
c. 5		c. 10, s. 3.
c. 6		c. 3, s. 5.
c. 7		c. 3, s. 6.
c. 8		c. 3, s. 5.
c. 9		c. 3, s. 10.
c. 10		c. 40, s. 20.
c. 11		c. 3, s. 5.

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SUPPLEMENT TO THE
REVISED ORDINANCES OF 1925

CONTAINING THE

ORDINANCES OF THE CITY
OF BOSTON.

PASSED IN THE MUNICIPAL YEARS
1926 — 1927 — 1928



CITY OF BOSTON
PRINTING DEPARTMENT
1928

CITY OF BOSTON,
OFFICE OF THE CITY CLERK, January 8, 1929

I hereby certify that this document contains true
copies of all Ordinances of the City of Boston passed
in the municipal years 1926, 1927 and 1928.

Attest:

City Clerk

ORDINANCES OF 1926.

CHAPTER 1.

CONCERNING BONDS OF THE CITY COLLECTOR AND THE CITY TREASURER.

Chapter three of the Revised Ordinances of 1925 is hereby amended in section three, by striking out in the clause establishing the bond of the city collector the words "seventy-five thousand dollars" and inserting in place thereof the words "one hundred and fifty thousand dollars"; and by striking out in the clause establishing the bond of the city treasurer the words "one hundred and fifty thousand dollars" and inserting in place thereof the words "three hundred thousand dollars."

[Approved October 13, 1926.]

CHAPTER 2.

CONCERNING MEAL PERIODS OF MEMBERS OF THE FIRE DEPARTMENT.

Section three of chapter fifteen of the Revised Ordinances of nineteen hundred and twenty-five is hereby amended by adding at the end of said section the following:— and *provided further* that each member of the fire department while on a twenty-four hour tour of duty may be allowed one meal period of one and one quarter hours while on such tour of duty — so that section three as amended shall read:

SECTION 3. The hours of duty of the day force shall be from eight o'clock ante meridian to six o'clock post meridian, and the hours of duty of the night force shall be from six o'clock post meridian to eight o'clock ante meridian; *provided*, that on every third day, for the purpose of alternating the day force with the night force and *vice versa*, the number of hours of duty herein stated may be exceeded, but one force shall be at liberty at all times, except as otherwise provided in section four of this ordinance; and *provided further* that each member of the fire department while on a twenty-four hour tour of duty may be allowed one meal period of one and one quarter hours while on such tour of duty.

[Approved October 13, 1926.]

CHAPTER 3.

CONCERNING THE CONSERVATION BUREAU.

SECTION 1. The conservation bureau created pursuant to section five, chapter eighteen, of the revised ordinances of nineteen hundred and twenty-five is hereby abolished.

SECT. 2. The health commissioner shall establish in addition to the other divisions of the health department a conservation division for the purpose of conserving life and promoting public health. The scope and character of the work to be done by the conservation division shall be the study of conditions and problems of cancer and contagious diseases. Temporary and permanent employees necessary to carry on the work of the conservation division shall be appointed and their compensation fixed in the same manner as other employees of the health department and their compensation and other expenses of the conservation division paid from appropriations available for the purpose in the same manner as other expenses of the health department.

[Approved October 26, 1926.]

CHAPTER 4.

CONCERNING THE TREASURY DEPARTMENT.

The treasurer may appoint an assistant cashier who shall furnish a bond in the penal sum of ten thousand dollars to the treasurer as obligee, with sureties satisfactory to the mayor, for the faithful performance of his duties and for the safe custody of money and other property entrusted to him. The assistant cashier may in addition to such other duties as the treasurer may require him to perform sign, in the name and behalf of the treasurer, if countersigned by said assistant cashier, all checks which may be required for the payment of the pay rolls of the school committee.

[Approved October 26, 1926.]

ORDINANCES OF 1927.

CHAPTER 1.

·CONCERNING THE BOSTON SANATORIUM DEPARTMENT.

SECTION 1. The powers and duties of the trustees of the Boston Sanatorium department exercised and performed in connection with the buildings and work carried on in the Mattapan district are hereby transferred to the trustees of the hospital department who, in addition to their other powers and duties, shall hereafter exercise said powers and perform said duties.

SECT. 2. All other powers and duties of the trustees of the Boston Sanatorium department and more especially those powers and duties in connection with the out-patient division are hereby transferred to the health commissioner who, in addition to his other powers and duties, shall hereafter exercise and perform said powers and duties.

SECT. 3. The offices of the trustees of the Boston Sanatorium department are hereby abolished.

[Approved March 31, 1927.]

CHAPTER 2.

CONCERNING THE SALARY OF THE BUILDING COMMISSIONER.

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the building commissioner by striking out the words "six thousand" and inserting in place thereof the words "seventy-five hundred."

[Approved April 1, 1927.]

CHAPTER 3.

CONCERNING THE SALARY OF THE BUDGET COMMISSIONER.

Section five of chapter three of the Revised Ordinances of 1925, is hereby amended in the clause establishing the salary of the budget commissioner by striking out the words "six thousand" and inserting in place thereof the words "sixty-five hundred."

[Approved May 24, 1927.]

CHAPTER 4.

CONCERNING THE SALARY OF THE SUPERINTENDENT
OF SUPPLIES.

Section five of chapter three of the Revised Ordinances of 1925, is hereby amended in the clause establishing the salary of the superintendent of supplies by striking out the words "six thousand" and inserting in place thereof the words "seventy-five hundred."

[Approved July 12, 1927.]

CHAPTER 5.

CONCERNING THE SALARIES OF THE SCHOOLHOUSE
COMMISSIONERS.

Section five of chapter three of the Revised Ordinances of 1925, is hereby amended in the clause establishing the salary of the schoolhouse commissioners by striking out the words "the chairman five thousand dollars, and the two other commissioners each four thousand dollars" and inserting in place thereof the words "the chairman seventy-five hundred dollars, and the two other commissioners each five thousand dollars."

[Approved July 12, 1927.]

ORDINANCES OF 1928.

CHAPTER 1.

CONCERNING THE CARE AND MANAGEMENT OF THE MUNICIPAL AIRPORT.

SECTION 1. The board of park commissioners shall have the care, charge and control of the municipal airport and shall construct, improve, equip, supervise, manage and regulate the use of the same.

SECT. 2. The board, with the approval of the mayor, shall appoint a superintendent who shall, under the direction of the board, have the care, management and supervision of the municipal airport. The superintendent shall receive as his annual compensation the sum of thirty-five hundred dollars.

[Approved November 14, 1928.]

6351. 110
[DOCUMENT 50 — 1943.]

SUPPLEMENT TO THE
REVISED ORDINANCES OF 1925
CONTAINING THE
ORDINANCES OF THE CITY
OF BOSTON

PASSED IN THE MUNICIPAL YEARS
1926 — 1943, INCLUSIVE



CITY OF BOSTON
PRINTING DEPARTMENT

Boston ¹⁹⁴³ City Messenger

DEC 20 1944

CITY OF BOSTON,
OFFICE OF THE CITY CLERK, January 3, 1944.

I hereby certify that this document contains true copies of all Ordinances of the City of Boston passed since the adoption of the Revised Ordinances of 1925 in the several municipal years 1926-1943, inclusive, except certain ordinances of 1943 amending the building code, which were printed separately.

Attest:

City Clerk.

ORDINANCES OF 1926.

CHAPTER 1.

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[Approved October 13, 1926.]

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Section three of chapter fifteen of the Revised Ordinances of nineteen hundred and twenty-five is hereby amended by adding at the end of said section the following:— and *provided further* that each member of the fire department while on a twenty-four hour tour of duty may be allowed one meal period of one and one quarter hours while on such tour of duty — so that section three as amended shall read:

SECTION 3. The hours of duty of the day force shall be from eight o'clock ante meridian to six o'clock post meridian, and the hours of duty of the night force shall be from six o'clock post meridian to eight o'clock ante meridian; *provided*, that on every third day, for the purpose of alternating the day force with the night force and *vice versa*, the number of hours of duty herein stated may be exceeded, but one force shall be at liberty, at all times, except as otherwise provided in section four of this ordinance; and *provided further* that each mem-

ber of the fire department while on a twenty-four hour tour of duty may be allowed one meal period of one and one quarter hours while on such tour of duty.

[Approved October 13, 1926.]

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CONCERNING THE CONSERVATION BUREAU.

SECTION 1. The conservation bureau created pursuant to section five, chapter eighteen, of the Revised Ordinances of nineteen hundred and twenty-five is hereby abolished.

SECT. 2. The health commissioner shall establish in addition to the other divisions of the health department a conservation division for the purpose of conserving life and promoting public health. The scope and character of the work to be done by the conservation division shall be the study of conditions and problems of cancer and contagious diseases. Temporary and permanent employees necessary to carry on the work of the conservation division shall be appointed and their compensation fixed in the same manner as other employees of the health department and their compensation and other expenses of the conservation division paid from appropriations available for the purpose in the same manner as other expenses of the health department.

[Approved October 26, 1926.]

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The treasurer may appoint an assistant cashier who shall furnish a bond in the penal sum of ten thousand dollars to the treasurer as obligee, with sureties satisfactory to the mayor, for the faithful performance of his duties and for the safe custody of money and other property entrusted to him. The assistant cashier may in addition to such other duties as the treasurer may require him to perform sign, in the name and behalf of the treasurer, if countersigned by said assistant cashier, all checks which may be required for the payment of the pay rolls of the school committee.

[Approved October 26, 1926.]

ORDINANCES OF 1927.

CHAPTER 1.

CONCERNING THE BOSTON SANATORIUM DEPARTMENT.

SECTION 1. The powers and duties of the trustees of the Boston sanatorium department exercised and performed in connection with the buildings and work carried on in the Mattapan district are hereby transferred to the trustees of the hospital department who, in addition to their other powers and duties, shall hereafter exercise said powers and perform said duties.

SECT. 2. All other powers and duties of the trustees of the Boston sanatorium department and more especially those powers and duties in connection with the out-patient division are hereby transferred to the health commissioner who, in addition to his other powers and duties, shall hereafter exercise and perform said powers and duties.

SECT. 3. The offices of the trustees of the Boston sanatorium department are hereby abolished.

[Approved March 31, 1927.]

CHAPTER 2.

CONCERNING THE SALARY OF THE BUILDING COMMISSIONER.

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the building commissioner by striking out the words "six thousand" and inserting in place thereof the words "seventy-five hundred."

[Approved April 1, 1927.]

CHAPTER 3.

CONCERNING THE SALARY OF THE BUDGET COMMISSIONER.

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the budget commissioner by striking out the words "six thousand" and inserting in place thereof the words "sixty-five hundred."

[Approved May 24, 1927.]

CHAPTER 4.

CONCERNING THE SALARY OF THE SUPERINTENDENT OF SUPPLIES.

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the superintendent of supplies by striking out the words "six thousand" and inserting in place thereof the words "seventy-five hundred."

[Approved July 12, 1927.]

CHAPTER 5.

CONCERNING THE SALARIES OF THE SCHOOLHOUSE COMMISSIONERS.

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the schoolhouse commissioners by striking out the words "the chairman five thousand dollars, and the two other commissioners each four thousand dollars" and inserting in place thereof the words "the chairman seventy-five hundred dollars and the two other commissioners each five thousand dollars."

[Approved July 12, 1927.]

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CHAPTER 1.

CONCERNING THE CARE AND MANAGEMENT OF THE
MUNICIPAL AIRPORT.

SECTION 1. The board of park commissioners shall have the care, charge and control of the municipal airport and shall construct, improve, equip, supervise, manage and regulate the use of the same.

SECT. 2. The board, with the approval of the mayor, shall appoint a superintendent who shall, under the direction of the board, have the care, management and supervision of the municipal airport. The superintendent shall receive as his annual compensation the sum of thirty-five hundred dollars.

[Approved November 14, 1928.]

ORDINANCES OF 1929.

CHAPTER 1.

CONCERNING PROFESSIONAL OUTDOOR SPORTS ON THE
LORD'S DAY.

SECTION 1. The following regulations are hereby established for the regulation and restriction of athletic outdoor sports or games on the Lord's Day and for the licensing of privately owned premises to be used for such sports or games:

1. No license shall be issued until a liability insurance policy or bond has been filed in the city clerk's office in form satisfactory to the law department and in amount approved by the city council.

2. There shall be no violation on said premises of chapter 136 of the General Laws, or any amendments thereto, or of any of the rules and regulations prescribed in said license.

3. The licensee shall furnish such sufficient facilities for free drinking water on said premises as shall be approved by the health commissioner.

4. The fee or total charge made for any seat anywhere in or on said premises for the witnessing of the playing of professional athletic outdoor sports or games shall in no case be greater on the Lord's Day than on each week day.

5. The license shall be for a term ending on November 15 in each year and the fee established herein shall be for a year or any portion thereof.

6. The license fee for the period expiring November 15, 1929, shall be \$2,500 for any privately owned park or field which has a seating capacity of more than 40,000 persons; \$1,750 where the seating capacity is more than 30,000 persons; \$1,000 where the seating capacity is more than 20,000 persons; \$500 where the seating capacity is more than 10,000 persons; and \$100 where the seating capacity is less than 10,000 persons. Any license granted by the city council shall not be issued until payment of the fee prescribed in this regulation.

7. No licensee shall permit any temporary seats or other obstruction of any kind or nature in any aisle, stairway or passageway of any grandstand, bleachers, or other structure on said described premises, nor allow any persons thereon or therein to remain in any aisle, stairway or passageway during the playing of any sport or game on said premises.

8. The licensee shall permit any police officers detailed by the police department to enter and inspect said premises at all times and shall employ to preserve order on said premises only regular police officers designated therefor by the police commissioner or the commanding officer of the division, and shall pay to the police commissioner for the services of such regular police officers such amount as shall be fixed by the commissioner.

9. The licensee shall permit at all times to enter and be about said premises such members of the fire department as shall be detailed by the fire commissioner to guard against fire; shall keep in good condition and so as to be easily accessible such standpipes, hose, water pails, axes, extinguishers and other apparatus as the fire commissioner may require and shall allow such members of the fire department in case of fire on said premises to exercise exclusive control and direction of all employees and of all means and apparatus for the extinguishing of fire therein.

10. The licensee agrees to accept a license, if granted, on the express condition that said licensee shall conform to these rules and regulations and that the license is subject to revocation for any violation thereof.

SECT. 2. This ordinance shall take effect upon its passage.

[Approved January 30, 1929.]

CHAPTER 2.

CONCERNING THE SALARY OF THE ELECTION COMMISSIONERS.

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the chairman of the election commissioners by striking out the words "six thousand" and inserting in place thereof the words "seven thousand," and in the same clause establishing the salaries of the three

other commissioners by striking out the words, "five thousand" and inserting in place thereof the words "six thousand."

[Approved May 1, 1929.]

CHAPTER 3.

CONCERNING THE SALARY OF THE PENAL INSTITUTIONS COMMISSIONER.

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the penal institutions commissioner by striking out the words "five thousand" and inserting in place thereof the words "six thousand."

[Approved May 1, 1929.]

CHAPTER 4.

CONCERNING THE SALARY OF THE CHAIRMAN OF THE STATISTICS TRUSTEES.

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the chairman of the statistics trustees by striking out the words "thirty-five hundred dollars" and inserting in place thereof the words "four thousand dollars."

[Approved May 1, 1929.]

CHAPTER 5.

CONCERNING THE SALARY OF THE STREET COMMISSIONERS.

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the chairman of the street commissioners by striking out the words "six thousand" and inserting in place thereof the words "seven thousand," and in the same clause establishing the salaries of the two other commissioners by striking out the words "five thousand" and inserting in place thereof the words "six thousand."

[Approved May 1, 1929.]

CHAPTER 6.

CONCERNING THE SALARY OF THE SUPERINTENDENT
OF PUBLIC BUILDINGS.

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the superintendent of public buildings by striking out the words "forty-five hundred" and inserting in place thereof the words "fifty-five hundred."

[Approved May 1, 1929.]

CHAPTER 7.

CONCERNING THE SALARY OF THE ASSISTANT CITY
CLERK.

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the assistant city clerk by inserting after the words "assistant city clerk" the words "not more than" so as to read as follows: "the assistant city clerk, not more than fifty-five hundred dollars."

[Approved May 1, 1929.]

CHAPTER 8.

CONCERNING THE SALARY OF THE TRAFFIC
COMMISSIONER.

SECTION 1. Chapter three of the Revised Ordinances of 1925 is hereby amended in section five by inserting after the clause establishing the salary of the superintendent of supplies the following:

The traffic commissioner, seventy-five hundred dollars.

SECT. 2. This ordinance shall take effect beginning with the date of the qualification of the traffic commissioner appointed under the provisions of chapter 263 of the Acts of 1929.

[Approved June 4, 1929.]

CHAPTER 9.

CONCERNING THE SALARY OF THE TRANSIT COMMISSIONERS.

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the chairman of the transit commissioners by striking out the words "seventy-five hundred" and inserting in place thereof the words "nine thousand," and in the same clause establishing the salaries of the two other commissioners by striking out the words "five thousand" and inserting in place thereof the words "seventy-five hundred." *[Approved June 19, 1929.]*

CHAPTER 10.

CONCERNING SALARIES OF THE OFFICERS CONNECTED WITH THE CITY COUNCIL.

SECTION 1. Chapter three of the Revised Ordinances of 1925 is hereby amended in section five, in the clause establishing the salaries of the officers connected with the city council, by striking out said clause and inserting in place thereof the following:

"The officers connected with the city council: the clerk of committees, fifty-five hundred dollars; the assistant clerk of committees, thirty-seven hundred fifty dollars; the second assistant clerk of committees, three thousand dollars; the city messenger, fifty-five hundred dollars; the assistant city messenger, thirty-two hundred fifty dollars; the second assistant city messenger, twenty-seven hundred fifty dollars."

SECT. 2. This ordinance shall take effect as of the first day of June, 1929. *[Approved July 9, 1929.]*

CHAPTER 11.

ESTABLISHING THE CLERK OF COMMITTEES DEPARTMENT.

SECTION 1. The clerk of committees department is hereby established, consisting of the clerk of committees,

the assistant clerk of committees and secretary to the city council, the second assistant clerk of committees, and such other officers as may be provided for and added thereto by the city council from time to time. All of the employees of the department shall be officers elected by the city council. The present clerk of committees and the other officers in the department shall continue in office until their successors are elected by the city council.

SECT. 2. The clerk of committees shall be the head of the clerk of committees department and shall have charge of the subordinate officers thereof, who shall be under his direction and control except as otherwise hereafter provided by the city council. He shall act as clerk of all committees; shall make and keep proper records of the proceedings and votes of the committees; shall notify the members of committees of all meetings thereof; and shall perform such other official duties as may be required of him by the city council or any committee thereof.

SECT. 3. The clerk of committees shall have charge of the library known as the City Hall Reference Library; shall keep in said library a copy of all publications issued by the city; and shall, so far as possible, complete the said library by obtaining copies of publications formerly issued by the city.

SECT. 4. The expenditures of the department shall be paid from the appropriate items of the city council appropriations, subject to the approval of the president of the city council.

SECT. 5. This ordinance shall take effect upon its passage.

[Approved December 5, 1929.]

CHAPTER 12.

ESTABLISHING THE CITY MESSENGER DEPARTMENT.

SECTION 1. The city messenger department is hereby established, consisting of the city messenger, the assistant city messenger, the second assistant city messenger, and such other officers as may be provided for and added thereto by the city council from time to time. All of the employees of the department shall be officers elected by the city council. The present city messenger

CHAPTER 14.

CONCERNING THE SALARY OF THE SUPERINTENDENT
OF PRINTING.

SECTION 1. Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the superintendent of printing by striking out the words "six thousand" and inserting in place thereof the words "seventy-five hundred."

SECT. 2. This ordinance shall take effect beginning with the first day of November, 1929.

[Approved December 12, 1929.]

CHAPTER 15.

CONCERNING THE SALARY OF THE SUPERINTENDENT
OF THE MUNICIPAL AIRPORT.

SECTION 1. Section two of chapter one of the Ordinances of 1928 is hereby amended in the clause establishing the salary of the superintendent of the municipal airport by striking out the words "thirty-five hundred" and inserting in place thereof the words "five thousand."

SECT. 2. This ordinance shall take effect beginning with the first day of November, 1929.

[Approved December 12, 1929.]

CHAPTER 16.

CONCERNING THE SALARY OF THE ENGINEERS IN
CHARGE OF DIVISIONS IN THE PUBLIC WORKS
DEPARTMENT.

SECTION 1. Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the

clause establishing the salaries of the commissioners of public works and the engineers in charge of divisions by striking out the words "five thousand dollars" and inserting in place thereof the words "six thousand dollars."

SECT. 2. This ordinance shall take effect beginning with the first day of December, 1929.

[Approved December 18, 1929.]

ORDINANCES OF 1930.

CHAPTER 1.

CONCERNING THE SALARY OF THE CORPORATION COUNSEL.

SECTION 1. Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the corporation counsel by striking out the words "nine thousand" and inserting in place thereof the words "ten thousand."

SECT. 2. This ordinance shall take effect beginning with the first day of February, 1930.

[Approved February 11, 1930.]

CHAPTER 2.

CONCERNING THE SALARY OF THE SECOND ASSISTANT CLERK OF COMMITTEES.

Chapter three of the Revised Ordinances of 1925 is hereby amended in section five in the clause establishing the salaries of the officers connected with the city council by striking out after the words "the second assistant clerk of committees," the words "three thousand dollars" and inserting in place thereof the words "thirty-seven hundred fifty dollars."

[Approved February 19, 1930.]

CHAPTER 3.

CONCERNING EAST BOSTON FERRY TOLLS.

SECTION 1. The tariff of tolls for passengers and vehicles upon the East Boston ferries is hereby established as follows:

PASSENGERS.

Foot passengers	1 cent
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VEHICLES.

One or two horse vehicle with driver	5 cents
Three or four horse vehicle with driver	10 cents
Passenger automobile with driver and one passenger	10 cents
Passenger automobile with driver and more than one passenger	15 cents
Motor truck, six tons or less, with driver	15 cents
Motor truck, over six tons, with driver	20 cents
Auto bus with driver	20 cents
Auto bus with driver and passengers	30 cents
Motorcycle with driver	5 cents
Trailer	10 cents

MISCELLANEOUS.

Hand cart, or wheelbarrow and man	5 cents
Horse and driver	5 cents
Horse and cattle, each, with attendant	5 cents

TICKETS FOR VEHICLES.

Tickets in strips of 10 to be sold at a reduction of 20 per cent.

FUNERAL PROCESSIONS.

Funeral processions shall pass free of tolls.

FOURTH OF JULY.

Foot passengers only will be given free transportation on ferries on 4th of July.

SECT. 2. All orders or ordinances previously passed establishing tolls on the East Boston ferries are hereby rescinded and repealed.

SECT. 3. This ordinance shall take effect beginning with the first day of April, 1930.

[Approved March 11, 1930.]

CHAPTER 4.

CONCERNING THE WEIGHTS AND MEASURES
DEPARTMENT.

Chapter 37 of the Revised Ordinances of 1925 is hereby amended by striking out section one and inserting in place thereof the following:

SECTION 1. The weights and measures department shall be under the charge of the sealer of weights and

measures. There shall be a chief deputy sealer and thirteen other deputy sealers. The salaries paid to the sealer and to the deputies shall be in full compensation for their services.

[Approved May 20, 1930.]

CHAPTER 5.

CONCERNING THE FIRE DEPARTMENT.

Chapter fifteen of the Revised Ordinances of 1925 is hereby amended by inserting after section five the following new section:

SECTION 5A. The commissioner may furnish, on such occasions and to such extent as he may deem advisable, the assistance of the department to another city, town, or fire district, in extinguishing fires therein.

[Approved August 6, 1930.]

CHAPTER 6.

CONCERNING WATER CHARGE ABATEMENTS.

SECTION 1. Section twenty-three of chapter twenty-seven of the Revised Ordinances of nineteen hundred and twenty-five is hereby amended by striking out in the third and fourth lines of said section the words "shall make abatements of charges for water where improperly assessed."

SECT. 2. Section twenty-four of said chapter twenty-seven is hereby amended by inserting after the word "ordinances" at the end of said section the following: "and who, under the direction of the commissioner, shall make abatements of charges for water where improperly assessed."

[The foregoing ordinance, recommended by the mayor for adoption by the city council, was filed with the city clerk, August 18, 1930, and not having been rejected or withdrawn within sixty days thereafter, was in force on October 18, 1930, as if adopted by the city council.]

CHAPTER 7.

CONCERNING THE TREASURY DEPARTMENT.

Chapter four of the Ordinances of 1926 is hereby amended by striking out said chapter and inserting in place thereof the following:

The treasurer may appoint a cashier and assistant cashiers who may, in addition to such other duties as the treasurer may require them to perform, sign in the name and behalf of the treasurer, if countersigned by said cashier or assistant cashiers, all checks which may be required for the payment of pay rolls, drafts and other purposes as the treasurer may direct.

[Approved December 23, 1930.]

ORDINANCES OF 1931.

CHAPTER 1.

CONCERNING THE TRANSIT COMMISSIONERS.

SECTION 1. Chapter thirty-five of the Revised Ordinances of 1925 is hereby amended in section one by striking out in line three the words "for the term of one year each."

SECT. 2. Chapter two of the Revised Ordinances of 1925 is hereby amended in section one by striking out the following clause "For the term of one year beginning with the first day of May in the year of appointment, three members of the transit commission."

SECT. 3. In the year 1931 the mayor shall appoint three members of the transit commission, one for the term of one year, one for the term of two years, and one for the term of three years, and thereafter, as the terms expire, shall appoint one member for the term of three years. All of said terms shall begin with the first day of May in the year of appointment.

SECT. 4. This ordinance shall take effect upon its passage.
[Approved March 3, 1931.]

CHAPTER 2.

CONCERNING THE HEALTH DEPARTMENT.

Chapter sixteen of the Revised Ordinances of 1925, as affected by chapter three of the Ordinances of 1926 and chapter one of the Ordinances of 1927, is hereby amended in section two by striking out the first sentence in said section and inserting in place thereof the following:

"The health commissioner shall establish the following divisions of the health department: medical division, child hygiene division, sanitary division, foods inspection division, laboratory division, vital statistics division, communicable diseases division, and tuberculosis division.
[Approved March 3, 1931.]

CHAPTER 3.

CONCERNING SUNDAY SPORTS.

Chapter one of the Ordinances of 1929, concerning professional outdoor sports on the Lord's Day, is hereby amended in clause five of section one by striking out the words "ending on November 15 in each year" and inserting in place thereof the words "of one year beginning March 1."

[Approved March 3, 1931.]

CHAPTER 4.

PROHIBITING CERTAIN UNNECESSARY NOISES.

SECTION 1. No person owning or having the care, custody or possession of any musical instrument, radio set, phonograph, victrola or other machine or device for producing or reproducing sound shall operate or use or permit to be operated or used such machine or device in such a manner as to disturb the peace and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such machine or device between the hours of twelve o'clock midnight and seven o'clock a. m. in such a manner as to be plainly audible at a distance of one hundred feet from the building or structure in which it is located shall be *prima facie* evidence of a violation of this ordinance. Nothing herein contained shall be construed to prohibit playing by a band or orchestra in a hall, building or in the open air, but this exception shall not apply to a reproduction of such playing by any machine or device.

SECT. 2. Any person, firm or corporation violating the provisions of this ordinance shall be subject to a penalty not exceeding twenty dollars for each offence.

[Approved June 12, 1931.]

CHAPTER 5.

RELATIVE TO THE DISPLAY OF SECOND-HAND ARTICLES.

SECTION 1. Chapter thirty-eight of the Revised Ordinances of the year nineteen hundred and twenty-five is hereby amended by inserting after section four a new section entitled 4-a as follows:

SECT. 4-a. No such shop-keeper holding a license from the police commissioner as a dealer in any second-hand articles shall permit to be displayed any second-hand furniture or household effects in any open area surrounding or appurtenant to the premises occupied by said licensee. *[Approved June 16, 1931.]*

CHAPTER 6.

CONCERNING HAWKERS AND PEDDLERS.

Chapter thirty-nine of the Revised Ordinances of 1925 is hereby amended in section nineteen as follows:

In the third paragraph of said section by inserting after the word "persons" the words "sixteen years of age or over" so that said paragraph as amended will read as follows:

The health commissioner is hereby authorized to grant licenses to hawk or peddle fruits and vegetables to persons sixteen years of age or over who have complied with the foregoing requirements, such licenses to be for the term of one year from the date of issue, and to charge therefor a license fee of five dollars per annum.

In the last paragraph of said section by striking out the words "unless such minors hawk or peddle fruits or vegetables" so that said paragraph as amended will read as follows:

The foregoing provisions shall not apply to minors licensed by the mayor and city council.

[Approved June 16, 1931.]

CHAPTER 7.

LIMITING THE NUMBER OF CONSTABLES.

SECTION 1. Appointments of constables shall specify in each case whether the appointment is for a position

connected with the city or county service to serve without bond or for the service of civil process upon the filing of the bond required by law.

SECT. 2. From and after the date of the passage of this ordinance no persons other than those already appointed, confirmed and qualified as constables shall be appointed or reappointed as constables with authority to serve civil process upon filing bonds until such time as the number of such constables shall have been reduced to one hundred and fifty. Thereafter the number of constables authorized to serve civil process upon filing bonds shall be limited to one hundred and fifty.

[Approved August 19, 1931.]

CHAPTER 8.

CONCERNING BONDS OF CONSTABLES.

The bond required in order to authorize the service of civil process by constables shall be in the sum of three thousand dollars with an incorporated surety company, approved by the city treasurer, as surety thereon, and only such surety shall hereafter be accepted by the city council on said bonds. *[Approved November 17, 1931.]*

CHAPTER 9.

CONCERNING THE WEIGHTS AND MEASURES DEPARTMENT.

Section one of chapter thirty-seven of the Revised Ordinances of 1925, as amended by chapter four of the Ordinances of 1930, is hereby further amended by striking out the word "thirteen" in the fourth line of said section and inserting in place thereof the word "fifteen."

[Approved November 27, 1931.]

CHAPTER 10.

CONCERNING THE NUMBER OF CONSTABLES.

Chapter seven of the Ordinances of 1931 limiting the number of constables is hereby amended in section two by striking out the words "one hundred and fifty" in

the two places in said section where said words occur and inserting in place thereof the words "one hundred and seventy-five." [Approved December 1, 1931.]

CHAPTER 11.

RELATIVE TO THE ABANDONMENT OF AUTOMOBILES AND AUTOMOBILE PARTS.

SECTION 1. Chapter thirty-nine of the Revised Ordinances of the year 1925 is hereby amended by inserting after section thirteen a new section entitled 13-A as follows:—*Section 13-A.* No person shall place upon public or private land automobiles or automobile parts for the purpose of abandonment.

SECT. 2. Section one hundred and eleven of chapter thirty-nine of the Revised Ordinances of the year 1925 is hereby amended in the second sentence thereof, and in the sixth line of said section by inserting in place of the word "section" the words,— "sections thirteen-A or" so that said sentence shall read as follows: "Any person violating any provision of sections thirteen-A or twenty-five of this chapter shall be subject to a penalty not exceeding fifty dollars for each offence."

[Approved December 8, 1931.]

ORDINANCES OF 1932.

CHAPTER 1.

CONCERNING FEES FOR THE QUALIFICATIONS OF CONSTABLES AND OTHER MINOR OFFICERS.

Under authority of chapter 297 of the Acts of 1931, the following fees are established, to be paid to the city clerk for the use of the city, viz.:

For the qualification and warrant or certificate of appointment of constables, for a term of one year or any portion thereof; five dollars.

For the qualification and certificate of appointment of all other minor officers authorized to be paid by fees; for the term of one year or any portion thereof; one dollar.

[*Approved April 5, 1932.*]

ORDINANCES OF 1933.

CHAPTER 1.

CONCERNING THE WEIGHTS AND MEASURES
DEPARTMENT.

Chapter 37 of the Revised Ordinances of 1925, as amended by chapter four of the Ordinances of 1930 and chapter nine of the Ordinances of 1931, is hereby further amended in section one by striking out the second clause of said section and inserting in place thereof the following:

There shall be sixteen deputy sealers; and the salary paid to the sealer and to the deputies shall be full compensation for their services.

[Approved March 14, 1933.]

ORDINANCES OF 1934.

CHAPTER 1.

CONCERNING THE DILLAWAY HOUSE.

The superintendent of public buildings shall have the care, custody and management of the Dillaway House, so called, in Roxbury; may establish rules and regulations for the use and preservation of the said house as an historical relic of the revolutionary war; and may, if authorized by an order of the city council approved by the mayor, let or lease the whole or any part of said house to an historical society or other association organized for historical purposes.

[Approved February 20, 1934.]

CHAPTER 2.

CONCERNING THE SALARIES OF OFFICERS OF THE CITY COUNCIL.

SECTION 1. Section five of chapter three of the Revised Ordinances of 1925, as amended by chapter ten of the Ordinances of 1929 and chapter two of the Ordinances of 1930, is hereby further amended in the clause establishing the salaries of the officers connected with the city council by striking out the words "the second assistant clerk of committees, thirty-seven hundred fifty dollars" and inserting in place the words "the two stenographer-clerks, eighteen hundred dollars each."

SECT. 2. The salaries established in the preceding section shall be subject to any reduction made under the provisions of chapter 121 of the Acts of 1933.

[Approved April 10, 1934.]

CHAPTER 3.

CONCERNING THE CLERK OF COMMITTEES DEPARTMENT.

Chapter eleven of the Ordinances of 1929 is hereby amended in section one by striking out the words "the second assistant clerk of committees" and inserting in place thereof the words "two stenographer-clerks."

[Approved April 10, 1934.]

CHAPTER 4.

CONCERNING BOND OF CITY COLLECTOR.

Chapter three of the Revised Ordinances of 1925 is hereby amended in section two by striking out the last sentence in said section and inserting in place thereof the following: "The amount paid as premium for the surety upon any bond aforesaid, not exceeding one per cent of the penal sum named therein for the bonds of the city collector and his employees, and not exceeding one-half of one per cent of the penal sum named therein for the bonds of the other officers and employees, shall be allowed and paid as an expense of the department of which the principal on the bond is an officer or employee."

[Approved July 11, 1934.]

CHAPTER 5.

CONCERNING THE DEPUTY CITY AUDITOR.

Chapter six of the Revised Ordinances of 1925 is hereby amended by inserting after section eight the following new section:

SECTION 9. The city auditor may appoint, subject to the approval of the mayor, a deputy city auditor, who shall be sworn to the faithful discharge of his duties and shall hold office until his successor is appointed and qualified. The deputy city auditor shall perform such duties as may be assigned to him from time to time

by the city auditor. If, by reason of illness, absence, or other cause, the city auditor be temporarily unable to perform the duties of his office, the deputy city auditor shall perform the same until such disability ceases.

[*Approved July 11, 1934.*]

CHAPTER 6.

CONCERNING THE ASSISTANT CITY COLLECTOR.

Chapter thirteen of the Revised Ordinances of 1925 is hereby amended by inserting after section six the following:

SECTION 7. The city collector may appoint, subject to the approval of the mayor, an employee in his office to the position of assistant city collector. The assistant city collector so appointed shall furnish a bond to the city, subject to the provisions of sections two and four of chapter three of the Revised Ordinances of 1925, in the sum of \$100,000; shall be sworn to the faithful discharge of his duties and shall hold office until his successor is appointed and qualified. The assistant city collector shall perform such duties as may be assigned to him from time to time by the city collector, and in the temporary absence of the city collector the assistant city collector shall perform the duties of the city collector.

[*Approved December 4, 1934.*]

ORDINANCES OF 1935.

CHAPTER 1.

CONCERNING SUNDAY SPORTS LICENSES.

SECTION 1. Chapter one of the Ordinances of 1929 concerning professional outdoor sports on the Lord's Day is hereby amended by striking out clauses 5 and 6 of section one and inserting in place thereof the following:

5. The license shall be for a term commencing with March 15th and ending on October 10th in each year.

6. The license fee for any privately owned park or field for the term beginning March 15th shall be \$1,000 where the seating capacity is 20,000 persons or more; \$500 where the seating capacity is 10,000 to 20,000 persons; and \$100 where the seating capacity is less than 10,000 persons. No license granted by the city council shall be issued until payment of the fee prescribed in this regulation.

SECTION 2. This ordinance shall take effect beginning with the fifteenth day of March, 1935.

[Approved April 8, 1935.]

CHAPTER 2.

CONCERNING SUNDAY SPORTS LICENSES.

Chapter one of the Ordinances of 1929, as most recently amended by chapter one of the Ordinances of 1935, is hereby further amended by adding the two following clauses, viz.:

7. A license may also be granted for a term commencing with October 11 and ending with March 15.

8. The fee for such license shall be one half of the fee prescribed for the terms set forth in Clause 5.

[Approved October 1, 1935.]

CHAPTER 3.

CONCERNING TAX TITLE PROPERTY.

SECTION 1. Section one of chapter thirteen of the Revised Ordinances of 1925 is hereby amended by striking out in the fourth and fifth lines thereof the words, "and of all tax deeds of lands held by," so as to read as follows:

Section 1. The collecting department shall be under the charge of the city collector, who shall exercise the powers and perform the duties of collectors of taxes of towns; shall have the custody of all leases from the city; shall collect and receive all money to be paid to, or for the use of, the city of Boston or the county of Suffolk, except where other provision is made; shall, within twenty-four hours after receiving any money for the city, pay the same over to the city treasurer, with a statement of the different accounts on, or purposes for, which the same were received, taking a receipt for the same; and shall require from his subordinates, for the faithful performance of their respective duties, and for the safe custody of the money and other property intrusted to them, bonds to himself as obligee, with sureties satisfactory to the mayor, as follows: from the cashier a bond in the penal sum of not less than twenty thousand dollars, and from the deputy collectors bonds in the penal sum of not less than five thousand dollars each.

SECT. 2. Chapter thirteen of the Revised Ordinances of 1925 is hereby amended by striking out section two of said chapter.

SECT. 3. Chapter twenty-five of the Revised Ordinances of 1925 is hereby amended by adding thereto the following section:

Sect. 7. The superintendent shall have possession and management of all real estate sold to or taken by the city for non-payment of taxes or assessments, the right to redeem which has been foreclosed, and shall cause to be sold if a sale is in his opinion practicable, when authorized by the city council and with the approval of the mayor, and if a sale is not practicable, shall cause to be leased if a lease is in his opinion practicable, upon such terms and conditions as may be

approved by the mayor and pursuant to the provisions of law applicable thereto, any and all such real estate.

SECT. 4. Chapter thirty-six of the Revised Ordinances of 1925 is hereby amended by adding thereto the following sections:

Sect. 9. The treasurer shall have the custody of all tax deeds and every instrument of taking of lands for the non-payment of taxes or assessments, held by the city.

Sect. 10. The treasurer, pursuant to the provisions of law applicable thereto, upon payment to the city of the amount secured thereby, may assign and transfer to any party in interest any tax title held by the city and may execute and deliver on behalf of the city any instrument necessary therefor.

SECT. 5. Chapter thirty-three of the Revised Ordinances of 1925 is hereby amended by adding thereto the following section:

Sect. 2. Nothing contained in section one of this chapter shall apply to any real estate sold to or taken by the city for non-payment of taxes or assessments, the right to redeem which has been foreclosed.

[Approved October 9, 1935.]

CHAPTER 4.

CONCERNING SALARIES OF OFFICERS OF THE CITY COUNCIL.

Section five of chapter three of the Revised Ordinances of 1925, as most recently amended by chapter two of the Ordinances of 1934, is hereby further amended in the clause establishing the salaries of the two stenographer-clerks connected with the city council, by striking out the words "eighteen hundred dollars each" and inserting in place thereof the words "two thousand dollars each."

[Approved January 4, 1936.]

ORDINANCES OF 1936.

CHAPTER 1.

CONCERNING GASOLINE PRICE SIGNS.

SECTION 1. Chapter thirty-nine of the Revised Ordinances of nineteen hundred and twenty-five is hereby amended by inserting after section eighty-nine of said chapter the following new section,—

SECTION 89a. No person engaged in the sale of gasoline by pump shall display or suffer the display of the price thereof by sign or other marking located at or near the premises upon which such person is so engaged unless such sign or other marking or a similar sign or other similar marking is attached to the pump or pumps to which said price applies, or, unless such sign or other marking clearly indicates the pump or pumps to which said price applies.

[Approved March 19, 1936.]

CHAPTER 2.

CONCERNING SOUNDING OF AUTOMOBILE HORNS.

Section 92 of chapter thirty-nine of the Ordinances of the City of Boston is hereby amended by adding thereto the following:

“No person shall sound an automobile horn between the hours of 11 p. m. and 7 a. m. anywhere in the City of Boston, except in cases of extreme emergency”—so that said section shall read as follows:

“The commissioner of public works shall, at the request of the hospital authorities, place and maintain a sign or signs displaying the words, ‘Warning! Hospital — Make No Noise’, at such points as he may determine on public streets and places in the vicinity of hospitals accommodating more than fifty patients. No foot traveller, driver of a vehicle, motorman of a street car

or operator of a motor vehicle shall make any unnecessary noise in the vicinity of such hospitals so as to unreasonably disturb patients therein.

"No person shall sound an automobile horn between the hours of 11 p. m. and 7 a. m. anywhere in the City of Boston, except in cases of extreme emergency."

[Approved March 24, 1936.]

CHAPTER 3.

CONCERNING HAWKERS AND PEDDLERS LICENSES.

Chapter thirty-nine of the Revised Ordinances of 1925 is hereby amended in section nineteen by inserting after the word "residence" in the first paragraph the following: "and until a recent photograph of said applicant shall be presented to the health commissioner, to be attached to his license (said photograph to be a passport size,— viz., 2 inch by 2 inch)."— so as to read as follows:

No person shall hawk or peddle any fruits or vegetables or any of the articles enumerated in section 17 of chapter 101 of the General Laws and acts in amendment thereof or in addition thereto, until he has been assigned a number by the health commissioner, and until he has recorded with said commissioner his name and residence, and until a recent photograph of said applicant shall be presented to the health commissioner, to be attached to his license (said photograph to be a passport size,— viz., 2 inch by 2 inch) and, if he hawks or peddles articles which are sold by weight or measure, a certificate from the sealer of weights and measures that all weights, measures and balances to be used by him have been properly inspected and sealed. The presence of unsealed weights or measures on the team, cart or person of such hawker or peddler shall terminate permission to hawk or peddle under such registration.

[Approved May 5, 1936.]

ORDINANCES OF 1937.

CHAPTER 1.

CONCERNING THE HEALTH DEPARTMENT.

Chapter sixteen of the Revised Ordinances of 1925, as affected by chapter three of the Ordinances of 1926 and chapter one of the Ordinances of 1927 and chapter two of the Ordinances of 1931, is hereby amended in section two by striking out the first sentence in said section and inserting in place thereof the following:

“The health commissioner shall establish the following divisions of the health department: medical division, child hygiene division, housing and sanitary division, foods inspection division, laboratory division, vital statistics division, communicable diseases division, and tuberculosis division.” [Approved January 22, 1937.]

CHAPTER 2.

CONCERNING TAX TITLE PROPERTY.

Section seven of chapter twenty-five of the Revised Ordinances of 1925 added to said chapter by section three of chapter three of the Ordinances of 1935, is hereby amended by adding at the end thereof the following words:

“provided, however, that any such real estate which may be deemed valuable for any public purpose, may be transferred, by order of the city council approved by the mayor, from the possession and management of the superintendent of public buildings to the care, possession and control of any city department.”

[Approved February 11, 1937.]

CHAPTER 3.

CONCERNING SALARIES OF OFFICERS OF THE CITY COUNCIL.

Section five of chapter three of the Revised Ordinances of 1925, as most recently amended by chapter four of the Ordinances of 1935, is hereby further amended by striking out the words "twenty-seven hundred and fifty dollars" in the salary of the second assistant city messenger and inserting in place thereof the words "twenty-two hundred and fifty dollars," and in the salaries of the two stenographer-clerks connected with the city council by striking out the words "two thousand dollars" and inserting in place thereof the words "twenty-two hundred and fifty dollars."

[The foregoing ordinance, passed by the city council March 22, 1937, was presented to the mayor on March 23, 1937, and was not returned by him with his objections thereto in writing within fifteen days thereafter. The ordinance therefore became effective on April 8, 1937, in accordance with the provisions of section four of chapter 486 of the Acts of 1909.]

CHAPTER 4.

CONCERNING AUTO-CAMPS AND TRAILERS.

SECTION 1. No land within the limits of the city of Boston shall be used for auto-camps, so called, or for the parking or stopping place of any automobiles or trailers, so called, while in use for living quarters, unless such land is licensed for the purpose by the health commissioner subject to such regulations as said commissioner shall deem necessary for the preservation of the public health and the avoidance of nuisances. The health commissioner is hereby authorized, if other authority is required than is contained in chapter 111 of the General Laws, to make the regulations and grant the licenses provided for in this ordinance, and to charge such fee as he may determine for any such license.

SECT. 2. The owner, occupant, tenant or lessee who permits any land over which he has permanent or temporary control to be used in violation of this ordinance shall be subject to a penalty not exceeding twenty dollars for each offense, and it shall be deemed a separate offense for each day that such violation is permitted to continue after notice thereof is given to such person in control.

[Approved August 25, 1937.]

ORDINANCES OF 1938.

CHAPTER 1.

CONCERNING SALARIES OF OFFICERS AND BOARDS.

Section five of chapter three of the Revised Ordinances of 1925, as amended, is hereby further amended by striking out the whole of said section and inserting in place thereof the following:

SECTION 5. The following-named officers shall, while in the service of the city, receive the following salaries yearly and proportionally for any portion of the year, which shall, unless otherwise provided by ordinance, be in full for all services which such officers are authorized or required by statute or ordinance to perform, and shall be subject to the deduction of any and all sums due to the city from such officers. They shall receive as such salaries:

The mayor, twenty thousand dollars.

The members of the city council, two thousand dollars each.

The assessors, the chairman seventy-five hundred dollars, and the two other assessors each six thousand dollars. The first assistant assessors, each eight hundred and fifty dollars for street work and preparation therefor, and eight hundred and fifty dollars for services on dooming board and work on abatements and investigations.

The budget commissioner, six thousand dollars.

The building commissioner, six thousand dollars.

The city auditor — auditor, seven thousand dollars; secretary of sinking funds commissioners, seven hundred dollars; county auditor, eight hundred and eighty dollars. Total, eighty-five hundred and eighty dollars.

The city clerk, seven thousand dollars, and the assistant city clerk, not more than fifty-five hundred dollars.

The city collector, seventy-five hundred dollars.

The city registrar, five thousand dollars.

The city treasurer — treasurer, six thousand dollars; treasurer of sinking funds commissioners, seven hundred

dollars; county treasurer, eight hundred and eighty dollars. Total, seven thousand five hundred and eighty dollars.

The corporation counsel, nine thousand dollars.

The election commissioners, the chairman six thousand dollars, the three other commissioners each five thousand dollars.

The fire commissioner, seven thousand dollars.

The health commissioner, seven thousand dollars.

The institutions commissioner, seven thousand dollars.

The park commissioners, the chairman seven thousand dollars. The superintendent of the municipal airport, not more than five thousand dollars, and the deputy commissioner not more than forty-two hundred dollars.

The penal institutions commissioner, five thousand dollars.

The commissioner of public works, eight thousand dollars; the engineers in charge of divisions, each not more than six thousand dollars.

The sealer of weights and measures, forty-five hundred dollars, the chief deputy sealer, such salary, not exceeding three thousand dollars, and the other deputy sealers such salary not exceeding twenty-eight hundred dollars each, as may be fixed by the sealer of weights and measures with the approval of the mayor.

The soldiers' relief commissioner, five thousand dollars.

The statistics trustees, the chairman thirty-five hundred dollars.

The street commissioners, the chairman six thousand dollars, and the two other commissioners each five thousand dollars.

The superintendent of markets, four thousand dollars.

The superintendent of printing, six thousand dollars.

The superintendent of public buildings, fifty-five hundred dollars.

The superintendent of supplies, seven thousand dollars.

The traffic commissioner, six thousand dollars.

The transit commissioners, the chairman seventy-five hundred dollars, and the two other commissioners each five thousand dollars.

The officers connected with the city council; the clerk of committees, fifty-five hundred dollars; the assistant clerk of committees, thirty-seven hundred and fifty dollars; the city messenger, fifty-five hundred dollars; the assistant city messenger, thirty-two hundred and

fifty dollars; the second assistant city messenger, twenty-two hundred and fifty dollars; the document man, twenty-seven hundred and fifty dollars; two stenographer-clerks, each twenty-two hundred and fifty dollars.
[Approved March 1, 1938.]

CHAPTER 2.

CONCERNING THE PAY-ROLL WEEK.

Chapter three of the Revised Ordinances of 1925 is hereby amended in section twenty by striking out in line three the word "Thursday" and inserting in place thereof the word "Tuesday."

[Approved June 23, 1938.]

CHAPTER 3.

CONCERNING THE SALARY OF THE SEALER OF WEIGHTS AND MEASURES.

Section five of chapter three of the Revised Ordinances of 1925, as amended, is hereby further amended in the clause establishing the salary of the sealer of weights and measures by striking out the words "forty-five hundred dollars" and inserting in place thereof the words "thirty-five hundred dollars."

[Approved July 19, 1938.]

CHAPTER 4.

CONCERNING USE OF SIDEWALKS.

Section seventy-nine of chapter thirty-nine of the Revised Ordinances of 1925 is hereby amended by adding at the end thereof the following:

Except in accordance with a special permit granted by the city council and approved by the mayor, no driveway or other opening for the passage of vehicles across a sidewalk shall be constructed to a width of more than ten feet nor shall more than a total of twenty feet in width of the sidewalk in front of any one parcel

or two or more contiguous parcels of land owned or occupied by one person, firm or corporation be used for driveways.

[Approved August 31, 1938.]

CHAPTER 5.

CONCERNING TAKING OF SEA WORMS.

Chapter thirty-nine of the Revised Ordinances of 1925 is hereby amended by inserting after section twenty-one the following:

SECTION 21A. No person other than a registered voter of the City of Boston shall take sea worms within the limits of the city, except that this prohibition shall not apply to a person taking for his own use and not for purposes of sale not more than one-half pint of sea worms in any one day. Any person violating the provisions of this section shall be punished by a fine not exceeding twenty dollars for each offense.

This ordinance shall take effect December 1, 1938.

[Approved November 23, 1938.]

CHAPTER 6.

CONCERNING FEES FOR CERTAIN LICENSES AND PERMITS.

SECTION 1. The fees hereinafter set forth are hereby established for the following licenses and permits under authority of chapter 297 of the Acts of 1931:

1. The fee for the licenses of employing gas fitters and journeymen gas fitters provided for under chapter 265 of the Acts of 1897 as amended, shall be, for an employing gas fitter \$2.00 for the original license, which license shall be for a period of one year and \$1.00 for each annual renewal thereof, and for a journeyman gas fitter \$1.00 for the original license, which license shall be for a period of one year, and 50 cents for each annual renewal thereof.

2. The fee for a certificate of municipal liens, itemizing taxes and other assessments on real estate, provided for under section 23 of chapter 60 of the General Laws, shall be \$2.50.

3. The fee for the permit for the removal and transportation of garbage, offal, or other offensive substances, provided for under section 31A of chapter 111 of the General Laws, as amended, shall be \$5.00 for each vehicle used in such removal and transportation.

4. The fee for the license to deliver, exchange, expose for sale or sell, or have in one's custody or possession with intent so to do, any milk, skimmed milk or cream provided for in section 41 of chapter 94 of the General Laws shall be \$1.00 for each location and \$1.00 for each vehicle used for the purpose authorized by said license.

5. The fee for the license to sell oleomargarine provided for under sections 52 and 53 of chapter 94 of the General Laws shall be \$1.00 for each location and \$1.00 for each vehicle used for the purposes authorized by said license.

6. The fee for the license for occupying or using a building or other premises for carrying on the business of slaughtering cattle, sheep or other noxious or offensive trade and occupation or permitting or allowing said trade or occupation to be carried on upon premises owned or occupied by the person carrying on said business or trade or occupation, provided for under section 151 of chapter 111 of the General Laws shall be \$25.00 per annum.

7. The fee for the license for innholders provided for under section 2 of chapter 140 of the General Laws shall be \$25.00, *provided, however*, that in the event that an innholder is the holder of a license for the sale of alcoholic beverages said fee shall be \$5.00.

8. The fee for the license for common victuallers provided for under section 2 of chapter 140 of the General Laws shall be \$7.50.

9. The fee for the license to persons to keep open their places of business for the retail sale of beverages provided for under section 21A of chapter 140 of the General Laws shall be \$2.00.

10. The fee for a permit for the following signs and other structures projecting into ways provided for under section 8 of chapter 85 of the General Laws shall be—

(a) Plain signs of cloth or canvas 20 cents per square foot per month or fraction thereof.

(b) Illuminated signs twenty square feet or less, \$3.00 per annum; more than twenty square

feet up to and including forty square feet, \$5.00 per annum; more than forty square feet, \$5.00 per annum, plus 10 cents per annum for each additional square foot or fraction thereof in excess of forty square feet; *provided, however*, that when any illuminated sign projects over the public way in excess of five feet, there shall be an additional fee of \$1.00 per annum for each linear foot or fraction thereof of said excess projection.

(c) Marquees — twenty linear feet or less, \$10.00 per annum; more than twenty linear feet, \$10.00 per annum, plus 10 cents per annum for each additional linear foot or fraction thereof in excess of twenty linear feet.

(d) Canopies — \$1.00 for each permit for one day and \$20.00 for each permit for one year.

(e) All other signs and structures for which a permit may be required under the provisions of said section 8 of chapter 85 of the General Laws, \$2.00 per annum.

provided, however, that the maximum aggregate fee for all permits granted for signs and other structures for which a permit may be required under the provisions of said section 8 of chapter 85 of the General Laws shall be \$100.00 per annum for any one person at any one location.

11. The fee for a license for the use of public streets for the storage and sale of merchandise provided for under chapter 584 of the Acts of 1907 shall be not less than \$5.00 nor more than \$300.00 for each license issued.

12. The fee for the license for the keeping, storage, manufacture or sale of crude petroleum or any of its products or explosive or inflammable fluids or compounds provided for under section 13 of chapter 148 of the General Laws, as amended, shall be as follows:

For structures with a storage capacity of 1 to 500 gallons, \$10.00.

For structures with a storage capacity of 501 to 2,500 gallons, \$15.00.

For structures with a storage capacity of 2,501 to 5,000 gallons, \$20.00.

For structures with a storage capacity of 5,001 to 10,000 gallons, \$40.00.

For structures with a storage capacity of 10,001 to 50,000 gallons, \$80.00.

For structures with a storage capacity of 50,001 to 100,000 gallons, \$150.00.

For structures with a storage capacity of 100,001 to 1,000,000 gallons, \$250.00.

For structures with a storage capacity of 1,000,001 to 5,000,000 gallons, \$500.00.

And over five million gallons, \$1,000.00.

provided, however, that the fee for each annual registration under said section shall be fifty per cent of the fee herein set forth for the original license.

13. The fee for sealing the following weighing or measuring devices provided for in section 56 of chapter 98 of the General Laws, as amended, shall be as follows:—

Each scale with a weighing capacity of 100 to 10,000 pounds, as set forth in item (a) and (b $\frac{1}{2}$) of said section, \$2.00;

Each scale with a weighing capacity of more than 10,000 pounds, as set forth in item (b) of said section, \$3.00;

All other scales, balances and measures on pumps, as set forth in item (e) of said section, 25 cents each;

All weights and other measures, as set forth in item (j) of said section, 5 cents each.

SECTION 2. Section 19 of chapter 39 of the Revised Ordinances of 1925 is hereby amended in the third paragraph thereof establishing the fee for licenses to hawk and peddle fruits and vegetables, by striking out the words "five dollars per annum" at the end thereof and inserting in place thereof the words "ten dollars per annum for sales within the market limits and five dollars per annum for sales elsewhere."

SECTION 3. The fees herein prescribed shall take effect January 1, 1939, except that for licenses or permits which expire on an annual date subsequent to January 1, the fee shall take effect upon the expiration of the present license, if any.

[Approved December 30, 1938.]

ORDINANCES OF 1939.

CHAPTER 1.

CONCERNING FEES OF SEALER OF WEIGHTS AND MEASURES.

Chapter six of the Ordinances of 1938, concerning fees for certain licenses and permits, is hereby amended by striking out clause 13 of section 1 and inserting in place thereof the following:

13. The fee for sealing the following weighing or measuring devices provided for in section 56 of chapter 98 of the General Laws, as amended, shall be as follows:

Each scale with a weighing capacity of 100 to 5,000 pounds, as set forth in item ($b\frac{1}{2}$) of said section, \$1.00;

Each scale with a weighing capacity of 5,000 to 10,000 pounds, as set forth in item (*a*) of said section, \$2.00;

Each scale with a weighing capacity of more than 10,000 pounds, as set forth in item (*b*) of said section, \$3.00;

All other scales and balances as set forth in item (*e*) of said section, but not including measures on pumps, 25c each;

All weights and other measures as set forth in item (*j*) of said section, 5 c. each.

Except as provided above, all fees established by said section 56 of chapter 98 of the General Laws shall continue in effect as set forth in said section or any amendment thereof.

[Approved April 7, 1939.]

CHAPTER 2.

CONCERNING FEES FOR LICENSES AND PERMITS.

Be it ordained, etc.

That, under authority of chapter 173 of the Acts of 1939, all fees for licenses and permits, and fees for service rendered or work performed not part of the general services furnished the citizens of the city as a

whole, whether such fees or charges have been instituted or established by action of the city council or heads of departments or boards, be and hereby are confirmed and established.

[Approved August 21, 1939.]

CHAPTER 3.

CONCERNING PARK FRONTAGES ON THE STRANDWAY.

Section twenty-three of chapter forty of the Revised Ordinances of 1925 is hereby amended by inserting in the third line thereof, after the word "Strandway", the following:

except from Preble street to Old Harbor street.

[Approved August 21, 1939.]

CHAPTER 4.

PROHIBITING PLACING SNOW IN STREETS.

Section forty-four of chapter 39 of the Revised Ordinances of 1925 is hereby amended by striking out in the last three lines of said section the following words — place any ice or snow in a street, outside of the sidewalk, unless the same is made even at the time of placing — and substitute therefor the following words — "remove any ice or snow from privately owned property and place it in the street in that territory bounded by the Roxbury Canal, South Bay, Fort Point Channel, Boston Harbor; Charles River to Massachusetts Avenue by and including Massachusetts Avenue to the Roxbury Canal."

[The foregoing ordinance, recommended by the Mayor for adoption by the City Council, was filed with the City Clerk September 18, 1939, and not having been rejected or withdrawn within sixty days thereafter, was in force on November 18, 1939, in accordance with the provisions of section 2 of chapter 486 of the Acts of 1909, as if adopted by the City Council.]

ORDINANCES OF 1940.

CHAPTER 1.

CONCERNING THE CITY PLANNING BOARD.

SECTION 1. Chapter twelve of the Revised Ordinances of 1925 is hereby amended by striking out section one and inserting in place thereof the following: *Section 1.*—The city planning department shall be under the charge of a board of nine members who shall serve without pay, at least one of whom shall be a woman. The membership of the board shall, at all times, include at least one engineer, one architect and one landscape architect or city planner. The board as first established shall consist of one member appointed for the term of one year, two members appointed for the term of two years, two members appointed for the term of three years, two members appointed for the term of four years and two members appointed for the term of five years respectively. The present members of the board shall continue to serve until the expiration of their respective terms. All subsequent appointments shall be for the term of five years. The several heads of departments of the city of Boston shall, on request of the board supply it with all information in their possession useful for its duties.

SECT. 2. Section one of chapter two of the Revised Ordinances of 1925 is hereby amended by striking out in the fifth line of the second last paragraph from the end of said section relating to appointments of officers for the term of five years, the words — “One member of the city planning board” — and inserting in place thereof the words — “One member of the city planning board in the years in which the term of one member expires and two members of the city planning board in the years in which the terms of two members expire.”

SECT. 3. This ordinance shall take effect on May 1, 1940.

[Approved April 24, 1940.]

CHAPTER 2.

CONCERNING MEMBERS OF THE FIRE DEPARTMENT.

Chapter 15 of the Revised Ordinances of 1925 is hereby amended by striking out section four and inserting in place thereof the following new section:

"Section 4. In case of a conflagration or extreme emergency involving a fire hazard, the officer or board having charge of the fire fighting force shall have full authority to summon and keep on duty any or all of the members of the fire fighting force while such conflagration or emergency continues."

[Approved June 11, 1940.]

ORDINANCES OF 1941.

CHAPTER 1.

CONCERNING RESTRICTIONS ON PARK FRONTAGES.

Chapter forty of the Revised Ordinances of 1925 is hereby amended in section 20 by striking out in the 10th, 11th, and 12th lines of said section the words "and from a line parallel to and one hundred and thirty-five feet south of the southerly line of Washington Street to the Newton Line" and inserting in place thereof the words, "and from a line parallel to and one hundred and thirty-five feet south of the southerly line of Mount Hood Road as extended across Commonwealth Avenue to the Newton Line."

[Approved February 3, 1941.]

CHAPTER 2.

PROHIBITING UNNECESSARY NOISE.

SECTION 1. Sections 91 and 92 of Chapter 39 of the Revised Ordinances of 1925, as amended, and Chapter 4 of the Ordinances of 1931 are hereby repealed.

SECTION 2. Chapter 39 of the Revised Ordinances of 1925, as amended, is hereby amended by inserting therein the following section:

SECTION 91. (a) Subject to the provisions of this section, the creation of any unreasonably loud, disturbing and unnecessary noise in the city is prohibited. Noise of such character, intensity and duration as to be detrimental to the life or health of any individual is prohibited.

(b) The following acts are declared to be loud, disturbing and unnecessary noises in violation of this section, but said enumeration shall not be deemed to be exclusive, namely:

1. The sounding of any horn or signal device on any automobile, motorcycle, bus, street car or other vehicle

while not in motion, except as a danger signal; the sounding of any horn or signal device on any such vehicle while in motion, except as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; and the sounding of any such horn or signal device for an unnecessary and unreasonable period of time; provided that any such noise shall be plainly audible at a distance of one hundred feet.

2. The playing of any radio, phonograph, or any musical instrument or other instrument intended or utilized so as to reproduce sound, in such a manner or with such volume as to annoy or disturb the quiet, comfort or repose of persons in any dwelling, hotel or other type of residence; provided that any such noise shall be plainly audible at a distance of fifty feet and provided that nothing herein contained shall be construed to prohibit playing by a band or orchestra in a hall, building, or in the open air.

3. The keeping of any animal or bird which by biting or by causing frequent or long continued noise shall disturb the quiet, comfort or repose of any person in the vicinity.

4. The use of any automobile, motorcycle, street car or other vehicle so out of repair or so loaded or in such manner as to create loud and unnecessary grating, grinding, rattling or other noise; provided that any such noise shall be plainly audible at a distance of one hundred feet.

5. The blowing of any steam whistle attached to any stationary boiler, except to give notice of the time to begin or to stop work or as an alarm or danger signal.

6. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle, motor boat or outboard motor engine, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

7. The erection, demolition, alteration, or repair of any building, and excavation in regard thereto, except between the hours of seven a. m. and six p. m. on weekdays or except, in the interest of public safety or welfare, upon the issuance of and pursuant to a permit from the building commissioner, which permit may be renewed for one or more periods of not exceeding one week each.

8. The creation of any excessive noise on any street

adjacent to any school, institution of learning, or court while the same is in session, or adjacent to any hospital or church, which unreasonably interferes with the conduct of the foregoing; provided that any such noise shall be plainly audible at a distance of twenty-five feet and provided that a conspicuous warning sign, using appropriate words, has been displayed in such street indicating that the same is a school, hospital, church or court street.

9. The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.

[Approved March 11, 1941.]

CHAPTER 3.

CONCERNING BUILDERS' LICENSES.

Section seven of chapter ten of the Revised Ordinances of 1925 is hereby amended by adding thereto the following words:

“Or any person serving more than ten years as a building inspector for the city of Boston may on his retirement and on recommendation of the building commissioner be granted by said board a license covering all classes. Said license to be in effect during good behavior and without payment of any fees.”

[Approved July 14, 1941.]

CHAPTER 4.

CONCERNING TAX TITLE PROPERTY.

Chapter twenty-five of the Revised Ordinances of 1925 is hereby amended by striking out section seven, as inserted by section three of chapter three of the Ordinances of 1935 and as amended by chapter two of the Ordinances of 1937, and by inserting in place thereof the following new section seven:

SECTION 7. The foreclosed real estate division is hereby established as a division of the public buildings

department. The division shall be in charge of the person appointed as custodian of foreclosed real estate under the authority of, and who shall exercise the powers and perform the duties provided by, chapter three hundred and fifty-eight of the Acts of 1938 as amended. The custodian may expend, in the performance of his duties, such sums as may be specified in the annual budget and the expenses so incurred shall be paid from the income of the division, exclusive of the proceeds from the sale of foreclosed property, or, if the income is insufficient, from such appropriations as may be made by the mayor and city council. In the discharge of his duties the custodian may obtain the assistance of employees of the public buildings department to the extent that may be approved by the superintendent. Any real estate acquired by the city through the foreclosure of tax titles which may be deemed valuable for any public purpose may be transferred, by order of the city council approved by the mayor, from the care, custody, management and control of the custodian to the care, custody, management and control of any city department.

[Approved August 18, 1941.]

CHAPTER 5.

CONCERNING CIVILIAN DEFENSE.

SECTION 1. There is hereby established the City of Boston Committee on Public Safety, which shall have charge of civilian defense of lives and property in Boston. The committee shall be composed of the mayor, as chairman, and of such department heads and other persons, not exceeding twenty in number, as the mayor may appoint from time to time. From the members so appointed the mayor shall designate an executive director, who shall receive such compensation as the mayor may determine. Each member of the committee shall serve at the pleasure of the mayor or until the repeal of this ordinance. The committee may appoint and compensate an executive secretary and other technical and staff personnel necessary to the performance of its functions.

SECTION 2. In the discharge of its functions, the committee shall cooperate with federal, state, and

municipal authorities. To the extent permitted by law, the committee shall act for the City of Boston in carrying out the provisions of chapter 719 of the Acts of 1941, including, without implied limitation, the conduct of blackouts, air raid warnings, and other defense activities and the appointment, training, and equipping of volunteer, unpaid public protection units.

SECTION 3. The committee may expend for the purposes herein stated such funds as may be appropriated or as may be otherwise made available.

SECTION 4. The police commissioner may furnish, on such occasions and to such extent as he may deem advisable, the assistance of the police department to another city or town in the suppression of riots or other forms of violence therein, in accordance with the provisions of section 5 (b) of chapter 719 of the Acts of 1941.

SECTION 5. This ordinance shall remain in force during the effective period of chapter 719 of the Acts of 1941, or any act in substitution therefor or continuation thereof.

[Approved December 16, 1941.]

CHAPTER 6.

CONCERNING COLLECTION OF WATER INCOME.

SECTION 1. Chapter thirteen of the Revised Ordinances of 1925 is hereby amended by striking out section four and inserting in place thereof the following:— *Section 4.* The collector shall, whenever a water rate is paid, immediately notify the commissioner of public works of such payment.

SECTION 2. Chapter twenty-seven of the Revised Ordinances of 1925 is hereby amended by striking out section twenty-two and inserting in place thereof the following:— *Section 22.* The commissioner shall have the care and control of all property acquired or held by the city for the purposes of its water supply; shall maintain the same in good order and condition; shall use and operate the same and furnish all supplies required therefor; shall purchase, lay, maintain and test all meters, pipes and other fixtures and appliances necessary for supplying water to the inhabitants of

the city, including the placing of drinking fountains and supplying the same with cold water; shall take all measures necessary to protect and preserve the purity of the water; shall exercise a constant supervision over the use of water; shall have control of the water supply and may in a public emergency shut the water off and let it on at such times as he deems necessary; shall, with the approval of the mayor, from time to time determine and establish the rates for the use of water; shall, whenever a water rate has remained unpaid for thirty days after its due date, send notice to the owner or tenant of the premises to which the water is supplied, that if the water rate continues to remain unpaid the water will be shut off and a lien for the amount due established as required by law; shall file the statements necessary to create liens for unpaid accounts; shall, if a water rate is not paid within ten days after sending the notice herein provided for, shut off the water from the particular service unless such action is inconsistent with law or unless, in the opinion of a physician designated by the commissioner, the shutting off of such water would endanger the life of any person; shall not let on again water shut off for nonpayment of a water rate until a service charge of two dollars, in addition to the amount of the unpaid account, is paid except where the law requires the letting on again of the water without the payment of the unpaid account. However, the commissioner may, in his discretion, waive the payment of such two dollar service charge where the unpaid account is less than twenty dollars. The provisions relative to the shutting off and letting on of water shall apply when two or more persons take water from the same service pipe although one or more may have paid the amount due from him or them. No charge shall be made for sending the notice herein provided for.

SECTION 3. Chapter twenty-seven of the Revised Ordinances of 1925 is hereby further amended by striking out section twenty-three, as most recently amended by section one of chapter six of the Ordinances of 1930, and inserting in place thereof the following:—*Section 23.* The commissioner shall, consistently with the ordinances, make contracts for the sale of water, and send out bills therefor, which shall be payable to the city collector; shall provide that bills for specific supplies of water shall be due and payable in advance and actually paid before the water is let on, that bills

for water furnished and measured by meter shall not be less than eight dollars during any consecutive twelve months' period and shall be due and payable on the due date specified on each bill rendered, and that the due dates thus specified shall be so established as to require payments at least as often as semi-annually. All contracts shall stipulate that an omission to send or a failure to receive a water bill under this section or a notice under the preceding section shall not affect the validity either of the water rate or of the proceedings for its enforcement or collection.

SECTION 4. Chapter twenty-seven of the Revised Ordinances of 1925 is hereby further amended by striking out section twenty-four, as most recently amended by section two of chapter six of the Ordinances of 1930, and inserting in place thereof the following:— *Section 24.* The commissioner may designate one of his subordinates to be the head of the water division, who shall, if the commissioner so directs, make abatements of charges for water where improperly assessed and exercise the powers of the commissioner relative to the shutting off of water for nonpayment of a water rate and the waiver of the service charge for the shutting off and letting on of water; who shall also receive all money paid for service charges for the shutting off and letting on of water and all money paid or deposited on account of main, service, fire, elevator, motor and other pipes and the laying thereof and for repair work; shall give a receipt in behalf of the city therefor; shall pay, from the money so received, the amount found by him to be due the person paying any such money, as excess over the amount due the city; and shall, on or before the fifth day of every month, pay over the money in his possession due the city, and account for all money so received by him since the last accounting, as provided in section eighteen of chapter three of these ordinances.

SECTION 5. This ordinance shall take effect beginning with the first day of January, 1942.

[Approved December 30, 1941.]

ORDINANCES OF 1942.

CHAPTER 1.

CONCERNING THE DISPLAY AND DISTRIBUTION OF
ADVERTISING MATTER IN THE CITY STREETS.

SECTION 1. Section thirty-seven of chapter thirty-nine of the Revised Ordinances of 1925 is hereby repealed and in lieu thereof the following section thirty-seven is substituted:

SECTION 37. Except in accordance with a permit from the commissioner of public works no person shall, for the purpose of advertising goods, wares or merchandise for sale, while on foot in any street, carry and display any show card, placard or sign, nor shall any person distribute to persons in any street for the purpose of advertising goods, wares or merchandise for sale, handbills, cards, circulars or papers other than newspapers, nor shall any person having the control of any vehicle used principally for advertising permit such vehicle to operate in any street north and east of Massachusetts avenue. The commissioner of public works shall establish, with respect to such advertising matter, such uniform rules governing the size of show cards, placards, and signs as shall be reasonably necessary to prevent interference with public travel and for the other convenience and safety of the public and such rules governing the size of handbills, cards, circulars and papers other than newspapers which may be distributed in the street as shall be reasonably necessary to prevent littering or other hazard to public safety. Each permit issued hereunder shall contain a copy of the rules relating thereto and shall be limited by its terms to the authorization of conduct permitted thereby and otherwise legal.

No permit shall be required nor shall this ordinance operate to affect, interfere with or in any way abridge the right of persons on the streets to carry or display non-commercial show cards, placards or signs or to dis-

tribute non-commercial handbills, cards, circulars or papers other than newspapers.

SECTION 2. Section forty-one of chapter thirty-nine of the Revised Ordinances of 1925 is hereby amended by striking therefrom the following:

“ ; or distribute to persons on a street, handbills, cards, circulars or papers of any kind except newspapers.”

[Approved July 23, 1942.]

CHAPTER 2.

CONCERNING SALARIES OF OFFICERS CONNECTED WITH THE CITY COUNCIL.

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salaries of the officers connected with the city council by striking out said clause and inserting in place thereof the following:

The officers connected with the city council: the clerk of committees fifty-five hundred dollars; the assistant clerk of committees thirty-seven hundred and fifty dollars; the city messenger fifty-five hundred dollars; the assistant city messenger thirty-two hundred and fifty dollars; the second assistant city messenger twenty-four hundred dollars; the document man twenty-nine hundred dollars; two stenographer-clerks, each twenty-four hundred dollars; one stenographer-clerk nineteen hundred and fifty dollars.

[Approved August 4, 1942.]

CHAPTER 3.

CONCERNING THE PRESENCE AFTER NINE O'CLOCK P. M. OF CHILDREN UNDER SIXTEEN YEARS OF AGE ON THE STREETS IN PROHIBITED DISTRICTS.

SECTION 1. During any period while this ordinance is operative as herein provided, no child under the age of sixteen years, unless accompanied by his or

her parent, grandparent, legal guardian or any adult member of such child's household, shall between the hours of nine o'clock p. m. and five o'clock a. m. be in or on any street, walk, or other public place within the boundaries of any area designated as herein provided.

Whenever the city council shall determine that there is reasonable likelihood that the health or safety of children under such age may be endangered by their presence in any area of the city between such hours, it shall file with the city clerk a written statement of such determination, approved by the mayor, specifying the boundaries of such area or areas, and after the publication of a copy of such statement in three or more newspapers of general circulation in the city this ordinance shall become operative as to such area or areas at such time, not earlier than twenty-four hours after such publication, as the statement may specify. Subject to section two, this ordinance shall remain operative as to any designated area for the period specified in such statement, or until declared inoperative as to such area by the city council in a written statement, approved by the mayor, filed with the city clerk and published as aforesaid.

SECTION 2. This ordinance shall be in effect during the continuance of the existing state of war between the United States and any foreign country and for six months thereafter, or until its earlier repeal.

[Approved August 4, 1942.]

CHAPTER 4.

CONCERNING SALARIES OF OFFICERS CONNECTED WITH THE CITY COUNCIL.

Section five of chapter three of the Revised Ordinances of 1925, as amended by chapter two of the Ordinances of 1942, is hereby further amended in the clause establishing the salaries of the officers connected with the city council by striking out after assistant clerk of committees the words "thirty-seven hundred and fifty dollars" and inserting in place thereof "four thousand dollars"; by striking out after assistant city messenger the words "thirty-two hundred and fifty dollars" and

inserting in place thereof "thirty-four hundred dollars"; and by striking out after one stenographer-clerk the words "nineteen hundred and fifty dollars" and inserting in place thereof "twenty-one hundred dollars."

[Approved August 25, 1942.]

CHAPTER 5.

CONCERNING OFFICE HOURS OF DEPARTMENTS.

SECTION 1. Chapter three of the Revised Ordinances of 1925 is hereby amended by striking out section ten and inserting in place thereof the following:

SECTION 10. Except as otherwise required by general or special law, every officer in charge of a department shall have an office open for the transaction of public business on every day except Sundays and legal holidays, during such hours as the mayor, with the advice of such officer, shall from time to time prescribe; provided that every such office shall be open for the transaction of public business for not less than eight hours on each week day except Saturday and for not less than three hours in the forenoon on Saturdays; provided further that the health commissioner shall have an office open for the issuing of permits for burial and permits for the removal of dead bodies, from ten o'clock in the forenoon until twelve o'clock noon on every day in the year; provided further that neither the city treasurer nor the city collector shall be required to keep an office open to disburse or receive money after two o'clock p. m.

SECTION 2. This ordinance shall take effect beginning with the first day of October, 1942.

[Approved September 24, 1942.]

CHAPTER 6.

CONCERNING HOURS OF DUTY OF FIREMEN.

SECTION 1. Chapter fifteen of the Revised Ordinances of 1925 is hereby amended by striking out sec-

tion two thereof, and section three thereof as amended by chapter two of the Ordinances of 1926, and inserting in place thereof the following new section:

"SECTION 2. The hours of duty of officers and members of the fire department shall not exceed a total of seventy hours for any consecutive seven days, except as otherwise provided in section three of this ordinance. The commissioner shall arrange the officers and members of the fire department into such bodies or platoons as will enable the work of the department to be carried on most efficiently consistently with the provisions concerning hours of duty provided in this ordinance."

SECTION 2. Said chapter fifteen is hereby further amended by changing consecutively the numbering of sections four to eleven inclusive so that the said sections will be respectively sections three to ten inclusive.

SECTION 3. This ordinance shall take effect six months after the end of the participation of the United States in the existing wars.

[Approved December 1, 1942.]

ORDINANCES OF 1943.

CHAPTER 1.

CONCERNING EMERGENCY COMPENSATION ALLOTMENTS.

During the continuance of the existing state of war between the United States and any foreign country and for a period of six months after its termination an emergency compensation allotment may be allowed and paid to any official or employee of the city of Boston or of the county of Suffolk notwithstanding any provisions of the ordinances of the city of Boston or of the county compensation and classification plan which determine or limit the salary of such an official or employee.

[Approved March 16, 1943.]

CHAPTER 7.

CONCERNING DEPUTY SEALERS OF WEIGHTS AND MEASURES.

Chapter thirty-seven of the Revised Ordinances of 1925, as most recently amended by chapter one of the Ordinances of 1933, is hereby further amended in section one by striking out the second clause of said section and inserting in place thereof the following:

There shall be eighteen deputy sealers; and the salary paid to the sealer and to the deputies shall be full compensation for their services.

[Approved September 21, 1943.]

CHAPTER 10.

CONCERNING THE SALARIES OF OFFICERS CONNECTED
WITH THE CITY COUNCIL.

Section five of chapter three of the Revised Ordinances of 1925, as most recently amended by chapter four of the Ordinances of 1942, is hereby further amended in the clause establishing the salaries of the officers connected with the city council, by striking out after first assistant city messenger the words "thirty-four hundred dollars" and inserting in place thereof "thirty-six hundred dollars", by striking out after second assistant city messenger the words "twenty-four hundred dollars" and inserting in place thereof "twenty-six hundred dollars", by striking out after document man the words "twenty-nine hundred dollars" and inserting in place thereof "thirty-one hundred dollars", by striking out after assistant clerk of committees the words "four thousand dollars" and inserting in place thereof "forty-two hundred dollars", by striking out after two stenographer-clerks the words "twenty-four hundred dollars" and inserting in place thereof "twenty-six hundred dollars", and by striking out after two stenographer-clerks the words "twenty-one hundred dollars" and inserting in place thereof "twenty-three hundred dollars". [Approved December 21, 1943.]

NOTE.— In addition to the three foregoing ordinances, the City Council adopted and the Mayor approved seven ordinances amending the Building Code, Chapter 479 of the Acts of 1938. These ordinances were severally printed in full in the City Council Minutes of February 1, March 15, March 29, April 5, May 3, and November 22, 1943, and were also printed in separate pamphlets and delivered to the Building Department. The ordinances were very lengthy and as they are also incorporated in the Revised Building Code it was deemed inadvisable to include them in this volume.

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